

DRAFT

**SAN FRANCISCO ELECTIONS COMMISSION
REDISTRICTING INITIATIVE REPORT
TO THE BOARD OF SUPERVISORS**

December 2023



Robin Stone, President

Chris Jerdonek, Vice-President

Lucy Bernholz

Cynthia Dai

Nancy Hayden Crowley

Renita Livolsi

Michelle Parker

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
FREQUENTLY USED ACRONYMS	7
INTRODUCTION	8
Why Have This Conversation Now?.....	8
Why Us?	9
State Law.....	10
A Brief History of Redistricting in San Francisco as District Elections Returned	11
San Francisco’s Current Redistricting Practices.....	12
The Elections Commission’s Involvement with the 2021-2022 Redistricting Process.....	12
The Elections Commission’s Redistricting Initiative	14
Feedback from the Public	18
Additional Considerations.....	20
How to Navigate This Report.....	21
Conclusion.....	22
RECOMMENDATIONS	23
COMPOSITION.....	24
THE SELECTION & REMOVAL PROCESS	26
1. Outreach and Recruitment.....	26
2. Qualifications and restrictions	29
3. Vetting and selection.....	33
4. Removal	38
REDISTRICTING LINE-DRAWING CRITERIA.....	39
FUNDING.....	42
COMMISSION PROCESSES.....	46
1. Training & Preparation	46
2. Including the Public.....	47
3. Transparency.....	49
4. Voting & Decision-making	50
TIMING	52

APPENDICES 56
APPENDIX F – ADDITIONAL RESOURCES 57

TABLE OF FIGURES

Figure 1 Summary of Recommendations.....	2
Figure 2 SFEC Redistricting Initiative Meeting Topics.....	15
Figure 3 FIERCE Committee Meeting Topics.....	17
Figure 4 Comparison of Independent Redistricting Commission Sizes.....	25
Figure 5 IRC Applicant Pool Sample.....	28
Figure 6 Sample of Pre-service Objective Criteria + Lookback Period.....	31
Figure 7 Comparison of Vetting Bodies and Selection Methods.....	36
Figure 8 2020-2021 Oakland Redistricting Commission Application & Selection Process.....	37
Figure 9 IRCs and Stipend Amounts in 2020 Redistricting Cycle.....	45
Figure 10 Voting Threshold for Final Maps.....	51
Figure 11 2020-2021 Oakland Redistricting Process Overview and Timeline.....	55

EXECUTIVE SUMMARY

San Francisco was a pioneer in citizen redistricting, taking the decennial task of redrawing electoral districts out of the hands of legislators and giving the decision-making authority instead to a citizen body in 1996, now referred to as the Redistricting Task Force. Over the past 27 years, everything around San Francisco has “leveled up.” The California Citizens Redistricting Commission was created through voter initiatives in 2008 and 2010 in recognition that “allowing politicians to draw their own districts is a serious conflict of interest that harms voters,”¹ and a new law passed in 2019² that overhauled redistricting to make it fairer and more inclusive, with clear line-drawing criteria for cities and counties and requirements for greater transparency, public education, and outreach. But San Francisco, as a charter city, was exempt from compliance. All around the state other cities and counties have caught up with effective practices that prioritize Independent Redistricting Commissions – keeping these citizen bodies as far from political influence as possible, while working transparently and with their communities to draw maps that effectively and fairly represent them.

San Francisco recently completed its third cycle of redistricting since putting it into this citizen body’s hands. This process drew significant public attention and experienced controversy. The San Francisco Elections Commission heard broad agreement that there are many opportunities to improve the now 27-year-old institution’s processes to ensure independence, provide clarity in decision-making, and better resource them to accomplish their work.

The Elections Commission has a mandate to ensure free, fair and functional elections, which requires fair representation. It has a defined role in the redistricting process as an appointing authority for a third of the Task Force and also to provide oversight for the Director of Elections who has additional specific responsibilities. Therefore, the Elections Commission determined it could play a helpful role in moving the City towards clearer, more effective redistricting practices by providing a public forum, studying and recommending possible reforms to the Board of Supervisors. The Commission launched a Redistricting Initiative in June 2022 with a series of topic explorations, special presentations from field experts, and testimony from past Redistricting Task Force members and other independent redistricting commissioners outside of San Francisco.

¹ Proposition 11, Sec. 2(a), Nov. 4, 2008

² [FAIR MAPS Act 2019](#)

How we arrived at these recommendations

Once the Commission agreed to launch a Redistricting Initiative, we held a series of six educational sessions (see [Figure 2 SFEC Redistricting Initiative Meeting Topics](#)) on topics that were generated by questions and feedback from Commissioners at each one. After that set of sessions, the Commission formed the temporary Fair, Independent, and Effective Redistricting for Community Engagement (FIERCE) Committee in May 2023 to develop a set of redistricting reform recommendations to present to the full body for consideration and referral to the Board of Supervisors for a possible charter amendment. They met six times. The Committee continued the educational process, engaging an advisory panel of organizations focused on effective governance, past members of the San Francisco Redistricting Task Force, and two members of the 2020 California Citizens Redistricting Commission. They spent the remaining meetings reviewing and discussing the material presented over the past year to both the full Commission and the Committee, identifying where there was agreement across committee members on possible recommendations, where more discussion was needed, and where more public input was required. The final set of recommendations was presented to the full Commission in November 2023 as a group vs. as individual components because of the interdependencies between topics. The Commission provided initial feedback and asked for a detailed report, which is what you are reading now.

Below, you will find a summary (Figure 1) of the Commission’s recommendations for improving the redistricting process in San Francisco. It is organized to summarize the way redistricting worked during the 2021-2022 cycle in San Francisco, note any relevant state law, and summarize the Commission’s recommendations.

The full report provides an overview of the context and background that led to this report, a set of materials and resources from the Commission’s 18 months of learning, and our resulting recommendations for consideration by the Board of Supervisors that we hope will be useful to city leaders and ultimately benefit San Franciscans by advancing us along the path to a truly independent and fair redistricting process.

Figure 1 Summary of Recommendations

Redistricting Component	The Way It Is Now	Relevant State Law	Elections Commission Recommendation
Composition	<ul style="list-style-type: none"> • 9 members • No alternates • No diversity requirements, though past RDTFs have been diverse 	None.	<ul style="list-style-type: none"> • 14 voting members • 2 alternates • Diversity factors: gender, race/ethnicity, location, socioeconomic status

Redistricting Component	The Way It Is Now	Relevant State Law	Elections Commission Recommendation
Outreach & Recruitment	None required. Each appointing body handles outreach differently, though Dept of Elections posts notification on its website.	None.	<ul style="list-style-type: none"> Require comprehensive outreach and public education plan Hold open, competitive, accessible application process Require public reporting on size and demographics of applicant pool Consider separate agency to run outreach Ensure funding is available to effectively recruit
Qualifications & Restrictions	<ul style="list-style-type: none"> No special guidelines on who may be a member of the task force. However, the Charter has general requirements. No standard qualification criteria or ban on conflicts of interest. 	None.	<ul style="list-style-type: none"> Open to SF residents 18yo+ living in SF 1+ years Subjective qualifications: history of civic engagement, is impartial, has relevant skills, understands SF's diversity and demographics Objective qualifications and disqualifying conflicts of interest: Standard, mostly consistent with CCRC, including pre-, during- and post-service requirements.
Vetting & Selection	3 authorities each appoint 3 members for a total of 9: Mayor (political), Board of Supervisors (political) and Elections Commission (non-political)	None.	<ul style="list-style-type: none"> Vetting and selection of 40 most qualified applicants is conducted by a trusted, adequately resourced non-political body(ies) that leverages existing City capabilities, systems and processes The vetting body publicly facilitates the random draw of the first 8 IRC members The 6 remaining IRC members and 2 alternates are chosen from the pre-vetted finalist pool by the group of the first 8 members to balance diversity of skills and representation
Removal	Members serve at the pleasure of their appointing authority and may be removed by their appointing authority at any time.	None.	<ul style="list-style-type: none"> Members of the IRC are removed only if the IRC determines a member is guilty of neglect of duty, gross misconduct, or if they misrepresented themselves to qualify for service on the body Allow for the resignation of IRC members and replacement by alternates The IRC determines which pre-selected alternate will replace the outgoing member

Redistricting Line-Drawing Criteria	<ul style="list-style-type: none"> • The existing line-drawing criteria is not ranked • The lines are to substantially comply with “one person, one vote” • Population variations between districts are limited to 1% of mean unless larger variations up to 5% are deemed necessary to prevent minority vote dilution or keep neighborhoods intact • Lines must consider communities of interest, though this term is undefined • There is no prohibition on incumbency protection or discrimination 	None.	<ul style="list-style-type: none"> • Remove existing City charter line-drawing criteria and replace with explicit ranked criteria including compliance with Federal law, case law, existing state criteria and the constitutional definition of communities of interest (FAIR MAPS Act of 2019) • Require the IRC’s final report to include a rationale for map lines compared against the criteria • Prohibit incumbency protection and discrimination in line-drawing
Funding	<ul style="list-style-type: none"> • RDTF members do not receive stipends • There was a budget for outreach and a line-drawing consultant in the last cycle, expenditures that were managed by Dept of Elections / Clerk of the Board, not the RDTF • The RDTF work was supported by the following City departments and staff without other budget augmentation: Clerk of the BOS, Department of Elections, and City Attorney staff 	None.	<ul style="list-style-type: none"> • Redistricting budget should include outreach and recruitment, vetting and selection prior to establishing the IRC • The IRC should have a reasonable, transparent budget that covers (some) dedicated staff as recommended by the City Clerk, community outreach, translation services, remote participation access, equitable stipends and reimbursement for expenses incurred by commissioners in the course of duties • IRC should have influence in selecting key consultants and their scopes of work • Departments supporting redistricting work should receive budget augmentation in multiple budget years, as appropriate
Training & Preparation	<ul style="list-style-type: none"> • The City charter stipulates no requirements • RDTF received briefings on its duties and powers from the Department of Elections, Office of the City Attorney, Clerk’s Office, Q2 Data and Research LLC (“Q2”), and Civic Edge Consulting • RDTF received various data sets including socioeconomic demographics, neighborhood maps, cultural district information, and community benefit district boundaries • City Attorney wrote several legal memos to the RDTF, and 	None.	Minimally, require the same legal training as permanent commissions receive, (e.g. Sunshine Ordinance and Brown Acts), and practical training shortly after seating (VRA, Robert’s Rules, Census data and mapping, state and SF ranked mapping criteria)

	both the City Attorney & mapping consultant offered training to the RDTF		
Including the Public	<ul style="list-style-type: none"> • None required. • City retained an outreach consultant • The RDTF created an outreach plan, but implementation was limited due to budget and the predetermined scope of the outreach consultant (which they had no role in choosing) • Consultant developed marketing materials, identified community organizations for engagement, and digital outreach efforts, supplemented by the Clerk's office with other collateral • RDTF members participated in outreach activities • RDTF emphasized language access • Mapping consultant provided mapping and community of interest submission tools for the public to create and submit maps, as well as provided a map training video 	San Francisco must comply with AB 764, now Elections Code 21160b aka FMA 2023, which requires a detailed public outreach plan.	<ul style="list-style-type: none"> • Outreach must be adequately resourced and should leverage existing City infrastructure, including agency expertise, language access resources, and community organization relationships • Public input hearings should be accessible and convenient to the public • The IRC should have a voice in the scope of any consultants' work used for public outreach • See Transparency (p.52) and Timing (p.55) sections for related recommendations
Transparency	Public meetings are governed by the Sunshine Ordinance and Brown Act. There is no ban on discussing redistricting matters outside of a public meeting.	<ul style="list-style-type: none"> • FMA 2023 (Elections Code 21130f) mandates a final report explaining any splits of neighborhoods or communities of interest • FMA 2023 (Elections Code 21160g and h) requires posting comments on the website. 	<ul style="list-style-type: none"> • Ban ex-parte communication • Require disclosure of approaches by electeds or members of the public, educational sessions presented, etc. • Require 7-day advance posting of maps under consideration • Public comments should be posted on the IRC website • Require written rationale for final districts against ranked criteria, neighborhoods, communities included or split in each district (see also Line-drawing Criteria, p.42)
Voting & Decision-Making	A simple majority (5 of 9 votes) is required for any decisions, including final maps	None.	Supermajority (9 of 14) for all votes

<p>Impasse Procedure</p>	<p>The City Attorney, with input from the Director of Elections, informed the 2021-2022 RDTF of its obligation to complete its task despite missing the legal deadline.</p>	<p>FMA 2023 (Elections Code 21180) says that if the final map is not produced on time, it will be referred to the Superior Court who is authorized to hire a Special Master to draw the districts. This law will apply to San Francisco because the charter is silent on this issue. The new law does not require adopting the state deadline.</p>	<p>Same as AB 764: Refer to Superior Court and authorize it to hire a Special Master to draw the districts if the final map is not produced on time</p>
<p>Timing</p>	<ul style="list-style-type: none"> • Seating of the RDTF seating is tied to the Census • Draft maps are not required. Only a (non-standard) final deadline is stipulated. This is currently by April 15 in the year in which the first election using the redrawn lines will be conducted. 	<ul style="list-style-type: none"> • FMA 2023 (Elections Code 21150d(1)) requires at least 2 public hearings before mapping and 21150d(2) requires at least 3 after a draft map before a final map can be adopted • Elections Code 21160f(1) requires 7-day posting of maps or 72 hours if within 28 days of the final map deadline 	<ul style="list-style-type: none"> • The ordinance establishing the IRC should be passed 18-24 months prior to the map deadline, rather than tying establishment to the Census as is currently in charter • The IRC should be seated at least 12 months before the final map deadline • Require a draft map at least 2 months before the final map • Require a 7-day public comment period before final map adoption • Consider adopting an earlier state deadline for final map

FREQUENTLY USED ACRONYMS

We will attempt to keep the use of acronyms throughout this report to a minimum, but will use the ones below due to their frequent appearance throughout the text.

RDTF = Redistricting Task Force

IRC = Independent Redistricting Commission

BOS = Board of Supervisors

CCRC = CA Citizens Redistricting Commission

FMA 2019 = FAIR MAPS Act of 2019

FMA 2023 = FAIR MAPS Act of 2023 aka AB 764

SFEC = San Francisco Elections Commission

INTRODUCTION

San Francisco was a pioneer in citizen redistricting, taking the decennial task of redrawing electoral districts out of the hands of legislators and giving the decision-making authority instead to a citizen body in 1996. Only the city of San Diego predated San Francisco in establishing such a commission in 1992, and these cities were the only ones who used commissions in the 2001 redistricting cycle. By 2008, California voters had passed Proposition 11, the Voters First Act, and followed it with Proposition 20, the Voters First Act for Congress, in 2010. These initiatives created the California Citizens Redistricting Commission (CCRC) in recognition that “allowing politicians to draw their own districts is a serious conflict of interest that harms voters.”³ The effectiveness⁴ of the CCRC in drawing maps that met ranked constitutional criteria⁵ and better represented California’s diverse communities⁶ inspired national and local reformers alike. By the 2020 redistricting cycle, 22 cities and counties representing 42% of California’s population⁷ used independent redistricting commissions (IRCs).

A key distinction between San Francisco’s older Redistricting Task Force (RDTF) and the newer IRCs is its political appointees. In fact, commissioners are not appointed directly by elected officials for 18 of the 22 IRCs across the state as this is prohibited by state law⁸ – except for charter cities. More recently established IRCs also have taken a cue from the CCRC, with strict eligibility criteria and qualifications to serve. In yet another example of a major city looking to update its practices after a recent challenging and controversial redistricting process,⁹ Los Angeles has just approved a ballot measure to replace its Advisory Redistricting Commission with an IRC, to go before voters in 2024.¹⁰

“...the City and County of San Francisco, whose commission predates Proposition 11, is one of the few IRCs to have elected officials directly appoint commissioners; its controversial redistricting in 2022 illustrates the risks and potential conflicts of interest associated with this model.”
--The Promise of Fair Maps (Heidorn, 2017)

Why Have This Conversation Now?

The San Francisco Elections Commission heard broad agreement both from observers, such as Asian Americans Advancing Justice - Asian Law Caucus, California Common Cause, and the League of Women

³ Proposition 11, Sec. 2(a), Nov. 4, 2008

⁴ Sonenshein, Raphael, [When People Draw the Lines](#), 2013

⁵ Kogan, Vladimir & McGhee, Eric, [Redistricting California: An Evaluation of the Citizens Commission Final Plans](#) California Journal of Politics and Policy, 2012

⁶ Stephanopoulos, Nicholas, [Communities and the California Commission](#), Stanford Law and Policy Review, 2012

⁷ Heidorn, Nicholas, [The Promise of Fair Maps](#), January 2023, p.1

⁸ California Elections Code Sections 23000 et seq.

⁹ [How a New City Council Map of L.A. Turned Into a Political Brawl](#), New York Times, Sept. 5, 2023

¹⁰ [L.A. will switch to independent redistricting if voters approve in 2024 election](#), Los Angeles Times, November 29, 2023

Voters San Francisco,¹¹ and from many participants in the recent redistricting process that some improvements should be made for the next redistricting process, including from the Redistricting Task Force itself.¹² There was consensus on what some of those components should be and disagreement on others. We attempt to capture these sentiments throughout the report.

The public's recent range of experiences with redistricting allows for more meaningful community engagement and input for potential reforms. While it might seem that the 2030 redistricting cycle is far in the future, it takes time to design and run a fair and democratic process. The Elections Commission wants to allow the City adequate time to get voter approval on the items where that is needed, prepare a new independent redistricting body, as well as support City agencies to plan and operationalize a fair process. In addition to a large bureaucracy as befits its size, the City and County of San Francisco has a notoriously slow hiring process¹³ and a two-year budgeting process. Other IRCs like the Long Beach IRC have planned over three budget years (see Funding, p.45) to account for an adequate outreach planning and recruitment period for an open and competitive application process (see Timing, p.55), in which the City has never engaged.

Why Us?

The Elections Commission is responsible for ensuring free, fair and functional elections, which must be fortified by fair processes that result in high participation across all communities and a representative government. This presumes that every San Franciscan has representation, which requires fair districts. The City Charter recognizes this by making the Commission one of the appointing authorities for the RDTF. As the oversight body for the Department of Elections, the Commission also hires and oversees the Director of Elections who has specific responsibilities in the redistricting process.

The Commission recognizes that fair representation in our very diverse city, with its high inequality,¹⁴ significant immigrant population and relatively low voter registration rates,¹⁵ means that this is fundamentally a diversity, equity, and inclusion (DEI) issue. This is why the Elections Commission included redistricting reform as part of its 2022 Racial Equity Action Plan.¹⁶ Research confirms that representation matters, and a study of California's and LA County's recent redistricting concluded that an independent and inclusive process with community engagement results in "communities of color

¹¹ [Letter to the RDTF re: Recommendations for inclusion in Redistricting Task Force final report](#), May 2022

¹² [2021-2022 San Francisco Redistricting Task Force Final Report](#), May 23, 2022, pp.13-16

¹³ [Here's how S.F. is trying to fix its 'absolutely insane' hiring process](#), SF Chronicle, Jan. 27, 2023

¹⁴ [Even the richest San Franciscans think economic inequality is out of control. Here's how bad it is](#), SF Chronicle, September 27, 2022

¹⁵ [Bay Area Equity Atlas](#)

¹⁶ [2022 Racial Equity Progress Report](#), Dept. of Elections, May 8, 2023, pp.16-17

being more empowered to elect candidates of choice¹⁷ – a principle enshrined in both the federal and California Voting Rights Act.

State Law

The Fair And Inclusive Redistricting for Municipalities And Political Subdivisions (FAIR MAPS Act¹⁸ or FMA 2019) became law in 2019. It is the most significant and comprehensive overhaul of the local redistricting process in state history and was inspired by the CCRC. The FMA prohibits partisan gerrymandering and sets forth standardized, fair redistricting criteria for cities and counties meant to ensure neighborhoods and diverse communities are kept intact. The FMA also requires greater transparency, public education, and outreach, particularly to underrepresented communities. Because it doesn't apply to charter cities, San Francisco was not obligated to comply, and didn't. This law led to many IRCs being formed throughout the state. The law, along with a recent report¹⁹ about its effects across 100+ local redistricting processes thus far, provides many recommendations and effective practices that local jurisdictions can reference.

Several pieces of state legislation were introduced in the spring of 2023 related to redistricting. One major bill proposed by Assembly Member Isaac Bryan would have imposed redistricting requirements much more broadly across the state of California than existing legislation, including charter cities where prior legislation hasn't. This bill, AB 1248,²⁰ passed the legislature²¹ but was vetoed²² by the governor for budgetary reasons. It would have required all California counties and cities (including charter cities) over 300k people to establish IRCs. The San Francisco City Attorney's office provided a memo on possible implications for San Francisco in April (see Appendix C). Assembly Member Bryan also proposed AB 764,²³ which was signed into law by the governor and provides enhancements to the FAIR MAPS Act, now known as the FAIR MAPS Act of 2023 (FMA 2023).²⁴ It will have some implications on San Francisco, as detailed in a memo from the SF City Attorney included in Appendix D. There were a few other redistricting bills that affected certain local jurisdictions that were signed by the governor as well. It is our understanding that good governance groups will continue to advocate for improvements to local redistricting efforts at the state level.

¹⁷ [True Representation: Communities of Color Shape California's Redistricting](#), Catalyst California, November 2022

¹⁸ [FAIR MAPS Act 2019](#)

¹⁹ Heidorn, Nicholas, [The Promise of Fair Maps](#), January 2023

²⁰ [AB 1248 text](#)

²¹ Assembly: 62 Ayes; 16 Noes. Senate: 30 Ayes; 7 Noes. AB 1248 bill tracking on [FastDemocracy](#).

²² [Governor Newsom's public veto statement](#)

²³ [AB 764 summary and bill text](#)

²⁴ FAIR MAPS Act of 2023 ([Sect 21100 et seq.](#))

A Brief History of Redistricting in San Francisco as District Elections Returned

In 1994, voters approved Proposition L, creating a nine-member Elections Task Force consisting of three members approved by the mayor, three by the Board of Supervisors, and three by the Registrar of Voters.²⁵ This task force's mandate was to "propose a system of electing supervisors that meets the needs of the entire city as well as of our individual neighborhoods."²⁶ The task force concluded that "the present system of electing supervisors was flawed and failed to provide adequate representation for most of the diverse populations of San Francisco" and that a different system should be adopted to "more closely reflect the ethnic, political, social, and economic diversity of San Francisco."²⁷ They made recommendations on voting systems and the Board of the Supervisors put two options on the 1996 ballot: Prop G would re-establish district elections and Prop H would keep at-large elections but use proportional ranked choice voting (PRCV). Prop G would also establish the first district lines and procedures for future redistricting to be overseen by another "elections task force."

The initial maps put before voters in Prop G were drafted by Professor Richard DeLeon, Director of the Public Research Institute at San Francisco State University, under the direction of the Elections Task Force. According to Steven Hill, co-founder of FairVote and advisor to the Elections Task Force, they faced many similar challenges to San Francisco's 2021-2022 Redistricting Task Force (RDTF) when creating the initial districts.²⁸ These challenges included shaping districts according to where people live, who they are and how they are represented in maps, as well as vague criteria for drawing the lines.

Voters approved Prop G with 57% of the vote, re-establishing district elections, but rejected Prop H. (San Francisco voters subsequently approved Prop A Instant Runoff²⁹ in 2002, a form of Ranked Choice Voting (RCV), which went into effect in 2004.) Prop G went into effect in 2000, and San Francisco returned to voting in district elections. Incorporated in the San Francisco City Charter as Sect 13.110 Elections of Supervisors, it established "a nine-member elections task force" and focuses on composition, selection process, line-drawing criteria, and timing. San Francisco was first redistricted in 2002 by the Elections Task Force on Redistricting (now known as the RDTF).³⁰ In 2001, the Elections Commission was created by voters through Proposition E.³¹ Upon establishment in 2002, the

²⁵ On November 7, 1995 the voters adopted a new charter that replaced the Registrar of Voters with a Department of Elections administered by a Director of Elections "vested exclusively with the conduct and management of voter registration and matters pertaining to elections in the City and County." ([A Brief History of Elections Administration in San Francisco](#). SF City Attorney Memo. July 6, 2005.)

²⁶ San Francisco Registrar of Voters, [Voter Information Pamphlet and Sample Ballot](#), November 8, 1994 Consolidated General Election, "Proponent's Argument in Favor of Proposition L"

²⁷ San Francisco Elections Task Force, [A Report of the Elections Task Force to the Board of Supervisors](#), City and County of San Francisco (May 1, 1995), p.3

²⁸ [Steven Hill's testimony](#), SF Elections Commission, June 15, 2022

²⁹ [March 5, 2002 Consolidated Primary Election Voter Information Pamphlet](#)

³⁰ [2001-2002 Elections Task Force on Redistricting Final Report](#)

³¹ [A Brief History of Elections Administration in San Francisco](#), SF City Attorney, July 6, 2005

Commission replaced the Director of Elections as an appointing authority for the RDTF per the charter and replaced two of the Director's appointees with its own.³²

San Francisco's Current Redistricting Practices

Every ten years the Director of Elections is required by charter to evaluate the federal, state, and local legal compliance of San Francisco's supervisorial boundaries and advise the Board of Supervisors on relevant population changes no later than 60 days after the decennial federal census results have been published. Should the Director of Elections find that the boundaries do not align with population requirements, a nine-person, independent RDTF is formed.

The purpose of San Francisco's redistricting process is to ensure fair supervisorial representation for all San Francisco voters. The RDTF must adhere to various requirements in local, state and federal law.

The 2010 Census did not result in large variations in San Francisco's population and the redistricting process was relatively uncontroversial. The 2020 Census showed a large change in San Francisco's population and where people lived, requiring significant changes to the district lines the RDTF would need to draw. The 2021-2022 redistricting effort drew significant public attention across many facets of its operations and decision-making processes. The Elections Commission learned from the chair of the first 2001-02 RDTF that its process was also marred by "divisiveness and politicization" and likewise resulted in a 5-4 vote on the district map.³³

The Elections Commission's Involvement with the 2021-2022 Redistricting Process

The Commission fulfilled its Charter obligations by appointing a diverse slate of three members to the RDTF at a June 22, 2021 special meeting after 33 applicants were interviewed and ranked by the Budget and Oversight of Public Elections (BOPEC) Committee in a 3-month open application process.³⁴ Later that evening, in response to concerns³⁵ about the delay of Census data due to the pandemic and other factors, the Board of Supervisors passed the ordinance convening the 2021-22 RDTF and opened its application process. The BOS appointed its three members on July 20, 2021. The Mayor appointed her appointees on July 30, 2021 after opening applications July 2, 2021. The RDTF met for the first time on September 17, 2021.

³² [Gwenn Craig's testimony](#), SF Elections Commission, Sept. 21, 2022

³³ [RDTF panel testimony](#), SF Elections Commission, September 21, 2022

³⁴ [June 22, 2021 Special Meeting Minutes](#), SF Elections Commission

³⁵ [March 15, 2021 letter from League of Women Voters of San Francisco](#) to SFEC, Dir Arntz, City Attorney Herrera, BOS, and Mayor Breed

Besides oversight of the Director of Elections' responsibilities to support the RDTF as an ex-officio member and with contracting consultants, the Commission did not engage with the redistricting process again until its April 6, 2022 special meeting. Held in lieu of the regular March 16, 2022 meeting that was cancelled for lack of a quorum, it was the first in-person meeting since the Mayor ordered all city agencies and departments to return to the office. Commissioners noticed a protest on the way in on the steps of City Hall directed at the RDTF, which was holding a simultaneous meeting, but were surprised by a full hearing room. After general public comment was opened, the Commission heard from 44 members of the public over two hours expressing concerns about the RDTF and its processes, with several explicitly asking the Commission to investigate and consider removing its appointees.³⁶ Many commenters cited transparency issues, especially noting a 3am decision³⁷ the night before to reverse a vote on a map widely supported by Black, LGBTQ+, and Asian communities.³⁸

Commissioners sought clarification from the Deputy City Attorney on the Commission's authority, the implications should the RDTF miss the April 15, 2022 map deadline, and the RDTF's ability to function should the Commission decide to take any action. After further discussion, we unanimously agreed that the public's concerns deserved reasonable consideration and a forum "as soon as possible."³⁹ We made arrangements to hear directly from our appointees and others at a special public hearing with a main agenda item, "Discussion and Possible Action Regarding Elections Commission Appointees to the San Francisco Redistricting Task Force"⁴⁰ that was ultimately moved earlier⁴¹ to April 8, 2022.

The Commission's decision to hold this hearing was controversial itself, sparking commentary and letters from elected officials and citizens concerned about a possible intervention so close to the map deadline.⁴² Some, including our appointees,⁴³ were concerned this would undermine the RDTF's independence. While others, including democracy advocates,⁴⁴ took the opportunity to express concerns with the process without necessarily calling for removal. In the two-day span before the hearing, a number of articles appeared, speculating that political forces were behind the redistricting drama.^{45 46 47}

³⁶ [April 6, 2022 Special Meeting Minutes](#), SF Elections Commission

³⁷ [U-turn on a U-turn: New map puts TL and SoMa in District 5](#), Mission Local, April 5, 2022

³⁸ ['This is our Selma': Hundreds in S.F. show up to fight redistricting plan](#), SF Chronicle, April 2, 2022

³⁹ [April 6, 2022 Special Meeting video](#), SF Elections Commission

⁴⁰ [April 8, 2022 Special Meeting agenda](#), SF Elections Commission

⁴¹ The meeting was originally scheduled for April 10, 2022, but was moved earlier to precede the RDTF's April 9th meeting after confirming that special meetings could be convened with fewer than 72 hours' notice.

⁴² [S.F.'s redistricting process rocked by new controversy as task force members may get removed: 'shocking'](#), SF Chronicle, April 7, 2022

⁴³ [Letter from Raynell Cooper, Chasel Lee, and Ditka Reiner](#), SF Elections Commission

⁴⁴ [4/11/2022 Letter from California Common Cause](#), SF Elections Commission

⁴⁵ [S.F. redistricting drama: political power grab or consequence of bad housing policy?](#), SF Chronicle, April 8, 2022

⁴⁶ [Big real estate and GOP money is backing a move to gerrymander SF districts](#), 48hills, April 6, 2022

⁴⁷ [The unfolding drama of redistricting](#), SF Examiner, April 7, 2022

At the April 8, 2022 meeting, the Commission made its own determination after hearing from all parties for almost seven hours⁴⁸ including testimony from SFEC appointees, invited speakers, and public commenters. These comments ranged from those praising our appointees and in support of allowing them to finish their work to those suggesting incompetence or malfeasance that deserved removal. However, after much discussion, the Commission did not find definitive evidence that warranted removal.⁴⁹ As an independent body, we did not take lightly the prospect of potentially interfering with another independent body, especially in a situation where replacing our appointees was impractical given the short timeframe. After asking our appointees and Chair Townsend to do more to address the concerns raised by the public, we resolved unanimously: "After hearing from the Elections Commission's appointees to the Redistricting Task Force, invited speakers, and public commenters, the Commission finds no reason for removal. We applaud our appointees for their hard work. We affirm the independence of the Redistricting Task Force."⁵⁰

The remaining RDTF meetings continued to draw significant attention and controversy. Four members walked out⁵¹ after another late-night vote reversal,⁵² made accusations against each other,⁵³ and the RDTF missed their deadline, drawing a lawsuit,⁵⁴ finally completing the map April 28, 2022.

The Elections Commission's Redistricting Initiative

At the Commission's May 18, 2022 meeting, Commissioner Cynthia Dai prepared a chart for discussion comparing the design of the RDTF to other IRCs based on her experience as a 2010 CCRC Commissioner and trainer for other IRCs.⁵⁵ In line with its mandate to ensure free, fair, and functional election administration, the Commission discussed possible improvements to the redistricting process and the necessity of amending the Charter to do so. President Lucy Bernholz suggested constraining the focus to redistricting for single-member districts rather than alternative democratic reforms such as multi-member districts to avoid an unmanageable scope. Commissioners Dai and Robin Shapiro (now President Stone) agreed to develop a six-month public education plan to review San Francisco's redistricting processes and learn about best practices from experts. Then the Elections Commission could solicit input from the public and recommend possible reforms. This was the genesis of the Commission's Redistricting Initiative, a public forum for education, dialogue, and strategic

⁴⁸ [April 8, 2022 Elections Commission Meeting Part 1, Part 2](#)

⁴⁹ [S.F. Elections Commission decides not to remove redistricting task force members](#), SF Chronicle, April 8, 2022

⁵⁰ [Redistricting Task Force members keep seats, win praise](#), Mission Local, April 9, 2022

⁵¹ [Task force members walk out as last redistricting talk turns into chaos](#), Mission Local, April 10, 2022

⁵² [New district boundaries for S.F. supervisors take shape, and few are happy with result](#), SF Chronicle, April 11, 2022

⁵³ [Redistricting Task Force members decry 'sham,' 'sellout' process](#), Mission Local, April 11, 2022

⁵⁴ [S.F. redistricting fiasco: Panel risks lawsuit after rejecting controversial map, blowing through deadline](#), SF Chronicle, April 14, 2022

⁵⁵ [San Francisco Redistricting vs. Best Practices Redistricting Reforms, SF Elections Commission, May 18, 2022](#)

recommendations to strengthen San Francisco’s redistricting process.⁵⁶ After the RDTF released its final report on May 23, 2022, Commissioner Dai shared the discussion document with RDTF members as a public comment and invited them to participate.⁵⁷

Armed with recommendations from the RDTF’s report⁵⁸ and feedback from the public and good government monitors (letters included in Appendix F), the Redistricting Initiative began in June 2022 with a series of topic explorations, special presentations from field experts, and testimony from past RDTF members and other independent redistricting commissioners outside of San Francisco. In total, the full commission covered topics across six educational sessions, as detailed in Figure 2 below. After the initial presentation on the history of redistricting in San Francisco, topics were generated by questions and feedback from Commissioners as the educational effort progressed.

Figure 2 SFEC Redistricting Initiative Meeting Topics

Date	Presenter	Topic	Video and/or slides
June 15, 2022	Steven Hill , FairVote co-founder; advisor to original SF Elections Task Force in 1996	San Francisco Redistricting Task Force history	Video
	Julia Marks , Voting Rights Manager and Staff Attorney at Asian Americans Advancing Justice - Asian Law Caucus	Overview of alternate redistricting structures	Video
July 20, 2022	Gwenn Craig , Former Chair of Elections Task Force and 2001 RDTF Chair	Brief history of the Elections Task Force and district elections	Video ; Written remarks
	Alesandra Lozano , Voting Rights & Redistricting Program Manager, California Common Cause	Independent redistricting archetypes and case studies	Video ; Slides ; Slide Notes ; Redistricting database
September 21, 2022	Former SF RDTF members: <ul style="list-style-type: none"> • Gwenn Craig, 2001 • Myong Leigh, 2011 • Raynell Cooper, 2021 	San Francisco’s citizen redistricting in practice	Video
October 19, 2022	Angela Calvillo , Clerk of the Board of Supervisors	Staffing and support	Video ; Clerk of the Board Report ; Ordinance No. 94-21

⁵⁶ [May 18, 2022 Meeting Minutes](#), SF Elections Commission

⁵⁷ [Final Report Public Comments Received through May 19, 2022](#), RDTF

⁵⁸ [Redistricting: Task force report urges protection from ‘inappropriate political influence’](#), Mission Local, May 13, 2022

Date	Presenter	Topic	Video and/or slides
	Fernando Martí and Emily Lee , San Francisco Unity Map Coalition	Community input	Video: Unity Map Coalition Redistricting Slides
November 16, 2022	Alejandra Gutiérrez , Long Beach Independent Redistricting Commission	Best practices and exemplars	Video: 2021 Long Beach Redistricting Report
	Rebecca Szetela , Chair & Vice Chair, Michigan ICRC	Best practices and exemplars	Video: Lessons Learned from MI IRC
	Nancy Wang , Executive Director, Voters Not Politicians	Best practices and exemplars	Video
March 15, 2023	Nicholas Heidorn , Founder of the California Local Redistricting Project	Discussion of new report about results of cities implementing the FAIR MAPS Act of 2019	Video: Promise of Fair Maps Report: California Local Redistricting Commissions (2017)

There was some interest on the Commission to develop a set of recommendations to share with the Board of Supervisors that would necessitate an amendment to the city charter, which would need to be brought to San Francisco voters for approval, as was done in 1996 when the original redistricting procedures were created. During the spring of 2023 it became clear that the SFEC did not have the capacity to run a community engagement process that would adequately engage the public in a matter that so deeply affected their representation in City Hall. The Commission also clarified its role and what was permitted with the City Attorney’s office. Since the Commission is not a legislative body, any decision about whether or not future recommendations should go to the voters is in the hands of the Board of Supervisors. The Commission’s role could be to submit a final report as a result of the research and learning conducted during its process. There was some initial interest by some members of the BOS, but how that will play out in terms of legislation is up to the Board.

In May 2023, the SF Elections Commission formed the temporary Fair, Independent, and Effective Redistricting for Community Engagement (FIERCE) Committee to develop a set of redistricting reform recommendations to present to the full commission for consideration. Members of the committee included Chair Cynthia Dai and Commissioners Renita Livolsi and Michelle Parker. The Commission would then determine whether to forward part or all the recommendations to the Board of Supervisors. This committee met six times between May 31 and October 30, 2023; the topics and discussions in those meetings are listed in the chart below in Figure 3. The Committee spent the first few meetings

hearing from an advisory panel of organizations focused on effective governance, past members of the RDTF and two members of the 2020 CCRC, including one currently working on redistricting reforms in Los Angeles. The last few meetings were spent in discussion (see guide in Appendix G) – reviewing the information shared with the Committee and full Commission over the previous year-plus and then identifying where there was agreement across Committee members on possible recommendations, where more discussion was needed, and where more public input was required. At its final meeting, the Committee voted on a set of recommendations, prepared a presentation and shared it with the full commission on November 15, 2023. The recommendations were presented as a set as opposed to individually because the Committee discovered multiple interdependencies across redistricting components that made it difficult to isolate them. The Commission provided feedback and disbanded the Committee, and charged Commissioners Parker and Dai with drafting this final report for the December, 2023 meeting.

Figure 3 FIERCE Committee Meeting Topics

Date	Presenter	Topic	Video and/or slides
May 31, 2023	<ul style="list-style-type: none"> • Russia Chavis Cardenas, Voting Rights & Redistricting Program Manager, California Common Cause • Lauren Girardin, Redistricting Team, League of Women Voters of San Francisco • Sietse Goffard, Senior Program Coordinator, Voting Rights, Asian Americans Advancing Justice – Asian Law Caucus • Chema Hernández Gil, Member, 2021-2022 Redistricting Task Force • Jenny Tse, Advocacy Chair, League of Women Voters of San Francisco 	Discussion about proposed state legislation with a 2021-22 RDTF member and a panel of good government organization representatives who monitored San Francisco’s and other local redistricting processes	Video: Summary of Redistricting Reform Recommendations: Memo to Elections Commission Regarding AB 1248
June 26, 2023	<ul style="list-style-type: none"> • Russell Yee, Rotating Chair, and Final Recommendations Report Co-Author, 2020 California Citizens Redistricting Commission • Arnold Townsend, Chair, 2021-22 Redistricting Task Force • Jeremy Lee, Member, 2021-22 Redistricting Task Force • Eric McDonnell, Chair, 2011-12 	Best practices from the 2020 CCRC; discussion about proposed state legislation with a panel of RDTF members	Video

Date	Presenter	Topic	Video and/or slides
	Redistricting Task Force		
July 31, 2023	Sara Sadhwani , Rotating Chair, 2020 California Citizens Redistricting Commission and University Leadership Team, LA Governance Reform Project	Best practices from the 2020 CCRC; lessons from LA's redistricting reform efforts	Video; "Redistricting by Do-Gooders" by Sara Sadhwani, PhD; Independent Redistricting: An Insider's View; LA Government Interim Report
August 24, 2023	N/A	Finalize talking points; discuss possible reform recommendations	Video; Draft Redistricting Initiative Talking Points; Proposed Reforms for Fair and Effective Independent Redistricting
September 5, 2023	N/A	Continued discussion of possible reform recommendations	Video
October 30, 2023	N/A	Consideration of AB 1248 veto and passage of AB 764; vote on reform recommendations package and format for committee report	Video; FIERCE Preliminary Redistricting Reform Recommendations; Proposed FIERCE Committee Report Format

Feedback from the Public

When the Elections Commission launched its Redistricting Initiative, there wasn't a lot of engagement from the public beyond the organizations that had monitored the redistricting process closely, and some of these (e.g. League of Women Voters San Francisco, Asian Law Caucus, Common Cause) regularly shared recommendations with us. Those recommendation letters, as well as letters sent to the BOS and RDTF, are listed in Additional Resources (Appendix F). When the Commission decided to form a temporary committee to develop recommendations the full Commission could consider, the general public began paying more attention. Commissioners were recipients of a few major form letter campaigns as well as individual emails generally supporting or opposing the process, and several members of the public regularly attended the committee meetings in person or participated remotely.

We are extremely grateful for any and all engagement by the public throughout this Initiative; their input informed both our process and the final report.

Some of the various themes across comments the Commission received, both supportive and critical, are below. As noted earlier, the Commission is not staffed to run a broad outreach campaign that would solicit a representative range of opinions. While certainly not comprehensive, we feel they are representative of the views expressed to us.

- **Scope.** Some feel the Redistricting Initiative is out of scope for the Commission and doesn't fit within our mandate to oversee free, fair and functional elections. Some feel the SFEC is trying to act inappropriately as a legislative body.
- **Selection process.** Some people support the current RDTF member selection process (the mayor, BOS, and SFEC each appoint three members) because they feel there is better accountability with elected officials vs. with unaccountable unelected bodies. Additionally a few have commented that they don't believe the cost associated with the recommended vetting and selection process is equal to the benefit.
- **Politicization.** Some people expressed frustration that some of the organizations that monitored the redistricting process, who they perceived to have acted in biased ways despite their nonprofit status, were also trying to inappropriately influence the SFEC in its recommendations. Some perceived the SFEC to be political itself when it responded to public pressure by holding a special hearing in the recent redistricting process to consider potential action on its RDTF appointees.
- **Wait for state action.** Some people wanted the Commission to delay any recommendations or action until after the bills being considered in the state legislature had resolution. Some also felt that AB 1248 in particular was primarily designed to address challenges Los Angeles was experiencing and was too blunt of an instrument to be useful to San Francisco.
- **Support for the effort.** Some expressed strong support for the Redistricting Initiative, commenting on how informed, detailed and thoughtful they believed the process to be.

Commissioners received email through four form letter campaigns during the work of the FIERCE Committee with the following subject lines (details in Appendix E):

- Late May 2023: Suspend work on FIERCE Committee until recommendations are inclusive of all perspectives! (approx 55 received)
- Late June 2023: I Oppose the Premature and Unauthorized Changes to our Redistricting Process by FIERCE: a Panel of Unelected, Self-Selected Election Commissioners (approx 175 received)
- Late June, early July 2023: I support reforming redistricting now to respect and fairly represent SF's communities (approx 18 received)
- Late October 2023: Support ending Gerrymandering in San Francisco (approx 65 received)

- Early December 2023: Please support redistricting reform at the 12/12 meeting (approx 15 received as of 12/8/2023, and still being received as of publishing)

Responding to feedback from the public, the FIERCE Committee delayed any action until after AB 1248 and AB 764 proceeded to the Governor's desk. Additionally in response to concerns that RDTF members were not engaged, the Committee reached out again individually to each member of the 2021-2022 RDTF to invite their participation in meetings during the summer. Several declined and sent lengthy emails with their thoughts, including frustrations about not receiving the previous invitation (which was sent to the general RDTF email May 19, 2022 when some were no longer checking their city emails). Chair Townsend and Member Jeremy Lee did accept the invitation to participate in the June 2023 meeting, along with some former RDTF members from other Census cycles for whom personal emails could be found. Finally, both the critical and supportive questions and comments provided in each meeting provided valuable insights that enabled Committee members to draw thoughtful conclusions and develop its recommendations to the full Commission.

Additional Considerations

Many of these recommendations are consistent with recommendations made by the 2021-2022 Redistricting Task Force and the Clerk of the Board in their final reports. Many are also aligned with proven practices from academic studies and are cited as such.

Some of these recommendations would require a charter amendment. If not in 2024, 2026 is likely the latest a measure could realistically go before voters in order to allow adequate time for the City to implement changes for the 2030 redistricting cycle. We encourage thoughtful consideration of what belongs in the city charter vs. what should be changed through ordinance, including avoiding adding items to the Charter that may conflict with state law and require future charter amendments. Additionally, some existing language in San Francisco's charter is what exempted us from falling under the FMA 2019, namely, we met the exemption requirement that our city charter stipulate two or more mandatory traditional redistricting criteria other than the requirement that districts be equal in population. Minimally, removing those would allow San Francisco to align with best practices that have made and will eventually make their way into state law.

The Elections Commission's discussions on redistricting were limited to improving the process of drawing lines. The Commission did not consider broader changes like the number of districts, the number of supervisors per district, or the voting method. This isn't because changes like these aren't worth considering. For example, electing supervisors using a system of proportional representation like Proportional Ranked Choice Voting (PRCV) – either at-large or from multi-member districts – could

possibly do a better job of representing communities of interest than single-member districts can.⁵⁹ This is because many communities aren't concentrated in any one district but instead are spread throughout the City. This is similar to one of the alternatives (Prop H) on the ballot in 1996 when the voters decided to reinstate district elections (Prop G). The 1994 Elections Task Force also proposed two additional voting system options: cumulative voting at-large and ranked choice voting in five 3-member districts, that the Board of Supervisors chose not to put before the voters.⁶⁰ To consider broader election reforms like these, the Board of Supervisors could convene another independent Elections Task Force. For example, the City Council of Portland, Oregon convenes an independent Charter Commission every ten years, with their most recent one proposing several election-related reforms for voters to consider.

How to Navigate This Report

The many components and considerations within any redistricting effort tend to be grouped into larger categories. The FIERCE Committee grouped these into six areas for discussion purposes in its August through October meetings before bringing recommendations to the full Commission. The categories selected are fairly consistent with the categories used in academic reports. They are:

1. Composition
2. Selection & Removal Process
3. Redistricting Line-Drawing Criteria
4. Funding
5. Commission Processes
6. Timing

Each section includes a core question the Commission considered when reviewing the research and talking with experts; a summary of the way that category is currently addressed in San Francisco (either as required by the Charter or has been the practice with the most recent RDTF); any relevant state law; and the SFEC recommendations and associated rationale.

Throughout this report we will use "Redistricting Task Force" or RDTF when referring to past redistricting bodies in San Francisco, and "Independent Redistricting Commission" or IRC when referring to our recommendations for an updated redistricting process and associated body.

Throughout the report are selected charts where data was readily available comparing various IRCs with San Francisco's RDTF and/or our recommendations. We selected the IRCs in these charts based on:

⁵⁹ [Escaping the Thicket: The Ranked Choice Voting Solution to America's Redistricting Crisis](#), Cumberland Law Review, June 22, 2016

⁶⁰ [Gwenn Craig's testimony](#), SF Elections Commission, July 20, 2022

- IRCs we invited to present before the Commission:
 - We invited Michigan to consider another state’s process. Voters Not Politicians, the grassroots organization that wrote the ballot initiative creating the Michigan Independent Citizens Redistricting Commission (MI ICRC), modeled it after the CCRC but made some different choices we wanted to learn about.
 - We invited the city of Long Beach to consider a local jurisdiction with similar diverse demographics and key sub groups as San Francisco. They also have a reputation of a strong successful redistricting process and results.
- A few other (larger) county IRCs, both created by state legislation
- Other Bay Area IRCs

Following the recommendations, the Commission has included an appendix of frequently-referenced documents, including a list of additional related resources.

Conclusion

The San Francisco Elections Commission recommends improving the City’s redistricting process so it can be truly independent and fair, for which there is broad consensus and support—from comments from good government monitors and the public throughout the most recent process to the RDTF’s recommendations in its final report⁶¹ to a recent governance report⁶² recommending non-political appointments. We hope the accompanying materials and resources from 18 months of learning and our resulting recommendations for consideration by the Board of Supervisors will be useful to city leaders and ultimately benefit San Franciscans.

⁶¹ [2021-2022 San Francisco Redistricting Task Force Final Report](#). May 23, 2022. p13-14.

⁶² Heidorn, Miller, Nadon, [Re-Assessing San Francisco’s Government Design](#), August 2023, p.60

RECOMMENDATIONS

COMPOSITION

How many people and who should serve on the task force?

“Local redistricting commissions should have enough members to reasonably reflect the diversity of the jurisdiction, but not so many members that commission deliberation becomes difficult. Local redistricting ordinances should require the appointment of alternates so that commission vacancies can be replaced quickly without disrupting the commission’s work.”

– *California Local Redistricting Commissions (Heidorn-2017)*

The way it is now

The San Francisco charter requires the Redistricting Task Force to have nine members. Three members are selected by each of three appointing authorities: the Mayor, the Board of Supervisors, and the Elections Commission. There are no diversity requirements, although past RDTFs have been selected to be relatively diverse. There is no allowance for alternates to be selected at the beginning in case a member isn’t able to finish their appointed term.

Relevant state law

None.

SFEC recommendations and rationale

In exploring this question, the Commission concluded that the RDTF should be a size and composition that allows for productive work, and also allows for experiences and expertise representative of SF’s communities to draw maps that advance “one person, one vote.”

- *Size/Number of Members:* 14 voting
- *Alternates:* 2, non-voting unless/until selected
- *Diversity Factors:* 1) gender, 2) race/ethnicity, 3) location, and 4) socioeconomic status

Consistent with the CCRC and other state and local IRCs that have 13-14 members to allow for more effective representation, we recommend that the San Francisco IRC have 14 members and 2 alternates. Alternates would serve as non-voting members of the IRC until or unless they are seated to replace one of the 14 members (see Removal, p.41). The SFEC considered an odd vs. even number of members, but concluded that an odd number wouldn’t be needed to break tie votes because nine votes would already be required to make decisions, per another SFEC recommendation (see Commission Processes,

p.48). Including the selection of alternates from the beginning has been a consistent recommendation the SFEC heard from speakers throughout its Redistricting Initiative, including former CCRC Commissioners and RDTF members and in the 2021-2022 San Francisco RDTF Final Report (p.14). This is seen as necessary for continuity in case of unforeseen resignation or removal. See Removal, p.41, for more information.

Figure 4 below provides a sample of IRCs along with the year they were established, their number of members, the number of alternates, and the population of the jurisdiction they draw maps for. San Francisco was very clearly a pioneer in citizen redistricting – established 12 years before California’s – but also has the fewest members. The IRCs modeled on the CCRC lack alternates (Michigan, LA County and San Diego County). Newer IRCs do have alternates as well as more members to increase representation and diversity.

Figure 4 Comparison of Independent Redistricting Commission Sizes

IRC	Year Established	# of Commissioners	# of Alternates	Population⁶³
CCRC	2008	14	0	39M
MI ICRC	2018	13	0	10M
LA County CRC	2016	14	0	9.8M
County of San Diego IRC	2017	14	0	3.3M
SF RDTF	1996	9	0	815k
City of Sacramento IRC	2016	13	2	525k
Long Beach IRC	2018	13	2	456k
Oakland RC	2014	13	2	434k
Berkeley IRC	2016	13	13	117k

The diversity factors that should be considered when pre-qualifying the pool of 40 finalists include: 1) gender, 2) race/ethnicity, 3) location (consider geographic diversity of SF neighborhoods and “regions”

⁶³ 2021 populations pulled from Google search; sources include the US Census Bureau

of candidates' homes independent of existing districts, which may split neighborhoods), and 4) socioeconomic status. This is similar to how the CCRC and other IRCs select finalists.

Geographic diversity in the final pool of applicants should not be based on existing districts, so as not to entrench previous redistricting or create the impression that members should represent "their district" rather than the entire City. Instead, this is to ensure different areas of the City are represented. Also, because San Francisco currently has 11 districts, requiring a member from each would leave only three seats of the total 14 to balance other diversity factors (see p.27 and Selection & Removal p.29 for relevant recommendation details). Adding additional seats would mean a larger RDTF, which might be unwieldy for decision making.

Finally, the Board of Supervisors should provide stipends to members of the RDTF to reduce barriers for qualified people to apply – particularly meaningful to people of lesser means. This might include providing a per diem, which would compensate members according to the amount of time they are giving to the redistricting work. The Board of Supervisors should determine the appropriate amount of a stipend – outside of the city charter and in relation to other compensated city commissions. More detail about this suggestion and rationale is included in the Funding section, p.45.

THE SELECTION & REMOVAL PROCESS

What will build public trust?

This section is divided into four subsections:

1. Outreach & recruitment
2. Qualifications & restrictions
3. Vetting and selection
4. Removal

1. Outreach and Recruitment

"A commission that lacks diversity may miss important community perspectives and even struggle with public legitimacy if significant constituencies feel they were not adequately represented in the process."

– *California Local Redistricting Commissions Report (Heidorn-2017)*

The way it is now

None required. Each appointing body handles outreach and recruitment to the RDTF in its own way, though the Department of Elections does post notification of the RDTF formation on its website.

Relevant state law

None. FMA 2023 only requires public outreach after the IRC is seated for community map input.

SFEC recommendations and rationale

- Require a comprehensive outreach and public education plan to build a large candidate pool representative of San Francisco demographics.
- Hold an open, competitive application process that is accessible, available in-language (same languages the Department of Elections supports) and not overly burdensome to potential candidates.
- Require regular public reporting on size and demographics of the pool.
- Consider a separate City agency with experience in outreach to run this phase of the selection process.
- Ensure funding is available to effectively recruit.

In order to create a well-qualified, representative body free of conflicts of interest, it is necessary to source broadly from the entire talent of the City – not just the politically connected.

San Francisco had only 38 known applicants to the most recent RDTF. 33 applied to the Elections Commission, which had a 3-month open application process. In comparison, both the Mayor and the Board of Supervisors made their appointments within a month of opening applications. Broad, thoughtful outreach and a longer application period can result in a larger and more diverse applicant pool, e.g. Long Beach, at half of San Francisco's population, had 400+ after a broad outreach plan and 3-month application period conducted by the City Clerk.⁶⁴ Figure 5 below provides a sample of IRCs and the size of their applicant pool. San Francisco's applicant pool was significantly smaller than the other localities listed – even than cities smaller in population. Other than San Francisco, these localities all had significant outreach efforts in recognition that creating a diverse and representative body through an open, competitive application process requires a large, diverse, and representative pool.

⁶⁴ [Update on Independent Redistricting Commission](#), City of Long Beach City Clerk, Aug. 25, 2020

Figure 5 IRC Applicant Pool Sample

IRC	# of Applicants	# of Commissioners (+ Alternates)	Population
CCRC	20,722	14	39M
MI ICRC	9367	13	10M
LA County CRC	735	14	9.8M
County of San Diego IRC	291	14	3.3M
SF RDTF	38 ⁶⁵	9	815k
City of Sacramento IRC	201	13 (+2)	525k
Long Beach IRC	400	13 (+2)	456k
Oakland RC	~150 ⁶⁶	13 (+2)	434k
Berkeley IRC	138	13 (+13)	117k

San Francisco is a diverse city already serving many of its residents in their native languages. It is important that this extends to efforts to ensure their representation in district line drawing. Therefore, the application process should be available in at least the same languages (9, including English) supported by the Department of Elections.⁶⁷ Additionally, the process must be accessible and not overly burdensome so as to deter qualified candidates who may have difficulty navigating bureaucratic processes or who have limited free time.

Regular public reporting on the size and demographics of the applicant pool throughout the outreach and recruitment process provides accountability for inclusive efforts and may also spur mobilization to ensure a diverse pool as the public tracks participation.⁶⁸

Some of San Francisco’s existing agencies have extensive community connections and outreach experience, therefore it could make sense to leverage that expertise for this specific part of the selection process rather than using the same one for the vetting phase. The California State Auditor, which was

⁶⁵ [Memo re: BOPEC Recommendations](#), June 14, 2021; [Rules Comm Pkt 071921](#). There were 33 applicants to SFEC and 8 to the Board of Supervisors, which included 3 duplicate applications. The number of applicants to the Mayor beyond the three people appointed is unknown.

⁶⁶ Provided by California Common Cause. Oakland vetting panel only reported the number of semi-finalists interviewed and 30 finalists. [Screening Panel for the 2020-21 Redistricting Commission Announces Applicant Pool](#)

⁶⁷ [Language access for voting materials](#), SF Dept of Elections

⁶⁸ [Women, nonwhites wanted: California redistricting panel struggles for diversity](#), SF Chronicle, July 25, 2019

ideally suited to vet CCRC applicants, has nonetheless had to outsource the outreach and recruiting efforts to (expensive) third-party firms. Other IRCs like the Long Beach IRC also utilized a different agency (the City Clerk) for this pool-building phase vs. the vetting phase (Ethics Commission). Michigan's Independent Citizens Redistricting Commission, which relies entirely on random selection, charged the Secretary of State to build a large representative pool. The Department of State partnered with over 150 outreach organizations and mailed 250,000 applications to a random selection of registered voters.⁶⁹ Possible agencies that might be able to run an effective outreach process could include the Office of Civic Engagement and Immigrant Affairs (OCEIA), the Mayor's Communication Office, Neighborhood Services, the Department of Elections, or others. The City should also consider duplicating other cities' successful outreach efforts. For example, Long Beach published inserts in utility bills, ran PSAs on local radio and ads on transit cards and bus shelters. Other creative outreach partnerships could include agencies that have broad interaction with the public such as the DMV, public libraries, etc. When looking for outreach partners, the City should use caution when considering 501(c)3 organizations that also have political arms.

Finally, adequate outreach requires adequate resourcing. The City must allocate funds for this early phase of redistricting work in addition to the work of the IRC once it's seated.

2. Qualifications and restrictions

"While critical to creating an impartial commission, reformers and policymakers should resist the temptation to adopt overly-strict eligibility qualifications. The tighter the objective criteria, especially for smaller jurisdictions, the harder it will be to recruit enough quality applicants to fill a commission."

-- *California Local Redistricting Commissions Report (Heidorn-2017)*

The way it is now

There are no special guidelines on who may be a member of the task force, however the Charter has general requirements. There are no standard qualification criteria or bans on conflicts of interest.

Relevant state law

None.

⁶⁹ [Michigan's Independent Citizens Redistricting Commission draws more than 6,000 applications](#), Michigan Department of State, June 1, 2020

SFEC recommendations and rationale

- **Residency:** Open to San Francisco residents 18 years and older who have lived in the City for one or more years
- **Subjective qualifications:** Applicant has a history of civic engagement, a demonstrated ability to be impartial, relevant skills (e.g. communications, good listener, collaboration, critical thinker, analytical/understands data), and an understanding of San Francisco’s diversity and demographics
- **Objective qualifications and disqualifying conflicts of interest:**
 - Applicant, spouse or immediate family members cannot have not been candidates, elected officials, staffers, major donors, or lobbyists for the previous 5-8 years.
 - Financial disclosures are required, but the Form 700 (required of all City Commissioners) need not be filed until the finalist stage. Self-certification is all that is necessary for the initial application.
 - Commissioners cannot run for office in districts they drew or for citywide office for 10 years or other local office for 5 years (e.g. city college trustee) after their service.
 - Commissioners cannot be a political staffer, be awarded non-competitive City bids, or be a lobbyist in the City for 4 years after their service.
 - Commissioners cannot be appointed to positions for 2 years.
 - During service prohibition on endorsements, working or volunteering for campaigns, making campaign donations—consistent with requirements of Elections Commissioners

Unlike the CCRC, which requires voter registration and therefore citizenship, residency is a more inclusive way to set participation requirements in San Francisco, whose relatively low voter registration rate⁷⁰ (due to a high number of immigrants) would eliminate at least 21% of voting-age residents. Using residency as a requirement is consistent with City law, which after the passage of Prop C only requires residency rather than citizenship for all City commissions. Pursuant to Charter, Section 4.101(a)(2), Boards and Commissions established by the Charter must consist of residents of the City and County of San Francisco who are 18 years of age or older (unless otherwise stated in the code authority).

The recommended list above is aligned with the CCRC’s criteria and is a proven combination of objective and subjective criteria to reduce political conflicts of interest and ensure candidates are qualified for the tasks, without attracting those with aspirations for elected office within the same Census cycle as the redistricting work. The SFEC can directly speak to what a great help a set of clear criteria would have been in its selection process. When the Commission was soliciting applicants for its three RDTF seats, it didn’t have any clear criteria for determining whether applicants were nonpartisan or politically aligned. This is a nuanced and potentially controversial question and is highly subjective.

⁷⁰ [Bay Area Equity Atlas](#)

Different Commissioners had different perspectives and assessments. If it were spelled out in law, this would cease to be an issue. Can the Commission objectively choose the best three out of 30+ applicants if each appointing authority is applying a different set of criteria? A vetting process with an up-or-down option (is qualified or isn't qualified against defined criteria) would be more objective and easier to carry out.

As a point of interest, Governor Newsom signed two bills at the end of the 2023 legislative session that created local IRCs for Sacramento and Orange counties based on the CCRC, thus implying support for these criteria. Other local IRCs based on the CCRC were also created by past state legislation for the counties of Los Angeles, San Diego, Riverside, Fresno, and Kern. Additionally, all three of San Francisco's representatives in Sacramento (Haney, Ting, Wiener) supported AB 1248 in 2023,⁷¹ which required these criteria though the bill was ultimately vetoed by the Governor for budgetary reasons as noted above. Finally, the 2021-2022 RDTF recommended in their final report that "a review should be conducted regarding...ways to reduce potential conflicts of interest" and that "minimum qualifications and restrictions such as those imposed on the California Citizens Redistricting Commission should be considered."⁷² Finally, these criteria recommendations are consistent with recent legislation AB 1248 (was vetoed) and AB 764 (was signed), but revisions to Elections Code 23003 required both bills to pass for this criteria to take effect. The following table (Figure 6) notes the pre-service lookback period during which an applicant or immediate family cannot have been a candidate or elected official, staffer, lobbyist, major donor or party official for other IRCs employing similar objective disqualifying criteria.

Figure 6 Sample of Pre-service Objective Criteria + Lookback Period

IRC	Candidate/ Elected	Campaign/ Elected staffer	Lobbyist	Major donor	Party official/staff
CCRC	10	10	10	10	10
MI ICRC	6	6	6		6
LA County CRC	10	10	10		10
County of San Diego IRC	10	10	10		10
SF RDTF					
City of Sacramento	10	10	4	<4	

⁷¹ [FastDemocracy bill tracker for AB 1248](#)

⁷² [2021-2022 San Francisco Redistricting Task Force Final Report](#), May 23, 2022, pp.13-14

IRC					
Long Beach IRC	8	8	4	8	
Oakland RC	10	10	10	<2	
Berkeley IRC	2	2		Must disclose any w/in 4	

There was not a consensus in the Commission on the length of time appropriate for pre-service restrictions so we have stipulated a minimum of five years to eight years, which corresponds to two supervisorial terms and generally covers the previous redistricting cycle. (New district maps go into effect in years ending in 2.) Recruiting civically engaged candidates is important, which means they may have volunteered with nonprofits, community groups or political campaigns, may have donated some money to campaigns, etc. but having limits within the objective criteria means political insiders are less likely to be selected. There was some debate on the Commission on whether there should be pre-service criteria banning maximum donations and a question whether that unnecessarily excludes civically active people. For example \$500, the maximum donation allowed to local candidates—disqualifies wealthier (and presumably more influential) donors, but does not eliminate smaller donors. The CCRC excludes applicants who have donated the maximum donation at the state level, \$2000. Sacramento⁷³ and Oakland⁷⁴ classify “major donors” as 50% of the local maximum, and Long Beach is set at \$250.⁷⁵

The Commission recommends the City consider more inclusive alternatives to written essays for evaluating the subjective criteria listed. A common way to evaluate these has been through several written essays, but too many can create an unnecessary barrier for people who are able and have capacity to serve and may have other ways to demonstrate their qualifications. For example, allowing video submissions as an option could still allow the vetting agency to adequately assess subjective criteria. In the application process for its 2021-2022 RDTF appointees, the SFEC asked people to answer six questions within a three-page application – this might also be a reasonable option.

We do have questions about how post-service requirements could and should be enforced, and suggest that process be built into IRC implementation plans. We also encourage the BOS to validate these criteria through community input.

⁷³ 2020 City of Sacramento Independent Redistricting Commission Selection Process

⁷⁴ Commission Eligibility, City of Oakland

⁷⁵ Measure DDD, City of Long Beach, November, 2018

3. Vetting and selection

"IRCs, whose members are not selected by incumbents and meet certain qualifications to ensure impartiality, were more transparent, more encouraging and receptive to public participation, and more likely to draw maps that kept communities whole than legislative bodies. IRCs also strengthened the public's trust in the fairness of the local redistricting process."

– *The Promise of Fair Maps (Heidorn, 2023)*

The way it is now

The City charter requires that the nine members of the RDTF be appointed by three different authorities – 6 are political appointments (3 by the Mayor and 3 by the Board of Supervisors) and 3 are appointed by the SFEC.

Relevant state law

None.

SFEC recommendations and rationale

- Vetting and selection of the 40 most qualified applicants from the submission pool should be conducted by a trusted, adequately resourced non-political body that leverages existing City capabilities, systems and processes.
- The vetting body(ies) publicly facilitates the random draw of the first 8 IRC members.
- The 6 remaining IRC members and 2 alternates are chosen from the pre-vetted finalist pool by the first 8 members to balance diversity of skills and representation.

Who should select or appoint RDTF members was perhaps the most hotly debated component of the entire portfolio of considerations. The Commission received regular public comment on this item throughout the FIERCE Committee's work. While Committee meetings were not highly attended, several regular attendees vociferously opposed any changes to the current appointment process, stating that they felt there was better accountability for the public with elected officials selecting the members, and that the redistricting process is inherently political anyway. This group of commenters also liked the distributed and decentralized nature of the appointments (from three authorities vs. one single authority). From a differing perspective, the Commission also received approximately 65 emails in the fall (2023) stating strong support for a completely independent and transparent RDTF that would end perceived gerrymandering.

A recent report⁷⁶ by The Rose Institute of State and Local Government commissioned by TogetherSF observed that "While the balancing of mayoral and Board appointees was designed to ensure the [Redistricting] Task Force would act fairly and not prioritize one political faction over another, this appointment practice led to significant controversy this past cycle. The Task Force was accused of drawing districts to advance one political faction over another and Task Force members were accused of secretly taking direction from the elected officials who appointed them." To promote public trust, the report authors recommended "San Francisco consider changing the appointment method of Redistricting Task Force members so that no member is directly appointed by an elected official," sharing that "California has pioneered the use of independent redistricting commissions at the state and local level and there are now well-developed models for how to structure such commissions to be politically independent."⁷⁷ Additionally, political appointments are the reason San Francisco's RDTF is considered a political commission, and why San Francisco would have been forced to change had AB 1248 been signed into law. AB 1248's preamble stated, "Political appointment of commissioners has been found to create potential conflicts of interest and opportunity for corruption of the redistricting process." Given the legislative support for this type of selection process, it is likely that future state legislation will be written that includes this provision.

The Commission debated who the right vetting and selection body might be for San Francisco and did not come to a conclusion, recognizing that the necessary public trust would require input from the public on who it should be. The Commission is not resourced to adequately source that public opinion and recommends the BOS include this question in hearings on the topic. We did, however, identify the qualities the vetting and selection body should have, which are that they should be trusted by the public, be adequately resourced, and have capable systems and processes that could transfer to an effectively run process. It is also possible that two separate agencies partner together on the outreach and selection processes. One that has particular skills and relationships with diverse communities could run the outreach and recruitment phase, and another with good investigative capabilities could run the vetting and selection. Possibilities for this body might include the Controller's office, the City Clerk, or a panel with representatives from various bodies (see the final version of AB 1248 for ideas).

To note, the Elections Commission is not currently staffed or resourced to run a process like this and has direct experience as to why a resourced body should lead this. During the selection process, many Commissioners expressed a desire for its applicants to be nonpartisan or not politically aligned (in potential contrast to the applicants chosen by the Mayor and BOS). However, the Commission didn't have the resources to do this, nor to conduct any kind of investigation to confirm the veracity of applicants' stated backgrounds. We are staffed only by a part-time Secretary, and Commissioners are volunteers. Additionally, while the idea of a distributed selection process suggested by some members

⁷⁶ Heidorn, Miller, Nadon, [Re-Assessing San Francisco's Government Design](#), August 2023, p.60

⁷⁷ Heidorn, [California Local Redistricting Commissions](#), p.1

of the public has its attraction, a single vetting body ensures consistent evaluation of qualifications, as well as holistic application of diversity factors across the entire finalist pool. The selection must be coordinated (e.g. performed by a single agency) to achieve this result. The current Charter provisions don't provide any way of coordinating.

With a trusted vetting and selection body in place, they would vet and select the 40 most qualified applicants considering the diversity factors described in the Composition section (p.27), and then publicly facilitate the random draw of the first eight of the total 14 IRC members from that diverse pool of finalists. The random draw guards against any potential bias of the vetting body, similar to jury selection. One way this could be conducted could be through a manner similar to how the Department of Elections handles the 1% random selection of precincts after each election, as required by the California Elections Code Sec, 15360.⁷⁸ Applicants would be assigned a number, and the Department would hold a public process rolling 10-sided dice for each decimal place. (The CCRC uses lottery balls similar to the California Lottery.) The six remaining members of the IRC and the two alternates are then chosen from the pre-vetted pool by the first eight members to balance diversity of skills and representation, as random selection will likely skew diversity.

This recommended process (random draw followed by self-selection) is consistent with how the CCRC members are selected, and the 2021-2022 RDTF final report said that "To affirm and protect the independence of the Task Force from inappropriate political influence, a review should be conducted regarding the composition of the Task Force, including the member selection process...The review should examine whether implementing appointment procedures like that used for the California Citizens Redistricting Commission, but without any involvement of elected officials, are appropriate and will reinforce the independence of the Task Force. For example, the California Citizens Redistricting Commission selection process is managed by the California State Auditor, an independent nonpartisan office. San Francisco's process should likewise be removed from real or perceived political pressure."⁷⁹

Figure 7 below compares the vetting bodies, random draw and self-selection methods of several IRCs. Note that the designers of the Michigan ICRC, Voters Not Politicians, chose an entirely random selection process because they did not believe the state had a trusted, nonpartisan body like the California State Auditor to vet applicants; however, according to MI ICRC Vice Chair Rebecca Szetela, this resulted in some commissioners who lacked important skills.⁸⁰ Locally, only Berkeley does not create a finalist pool.

⁷⁸ [California Elections Code Sec. 15360](#)

⁷⁹ [2021-2022 San Francisco Redistricting Task Force Final Report](#), p.14

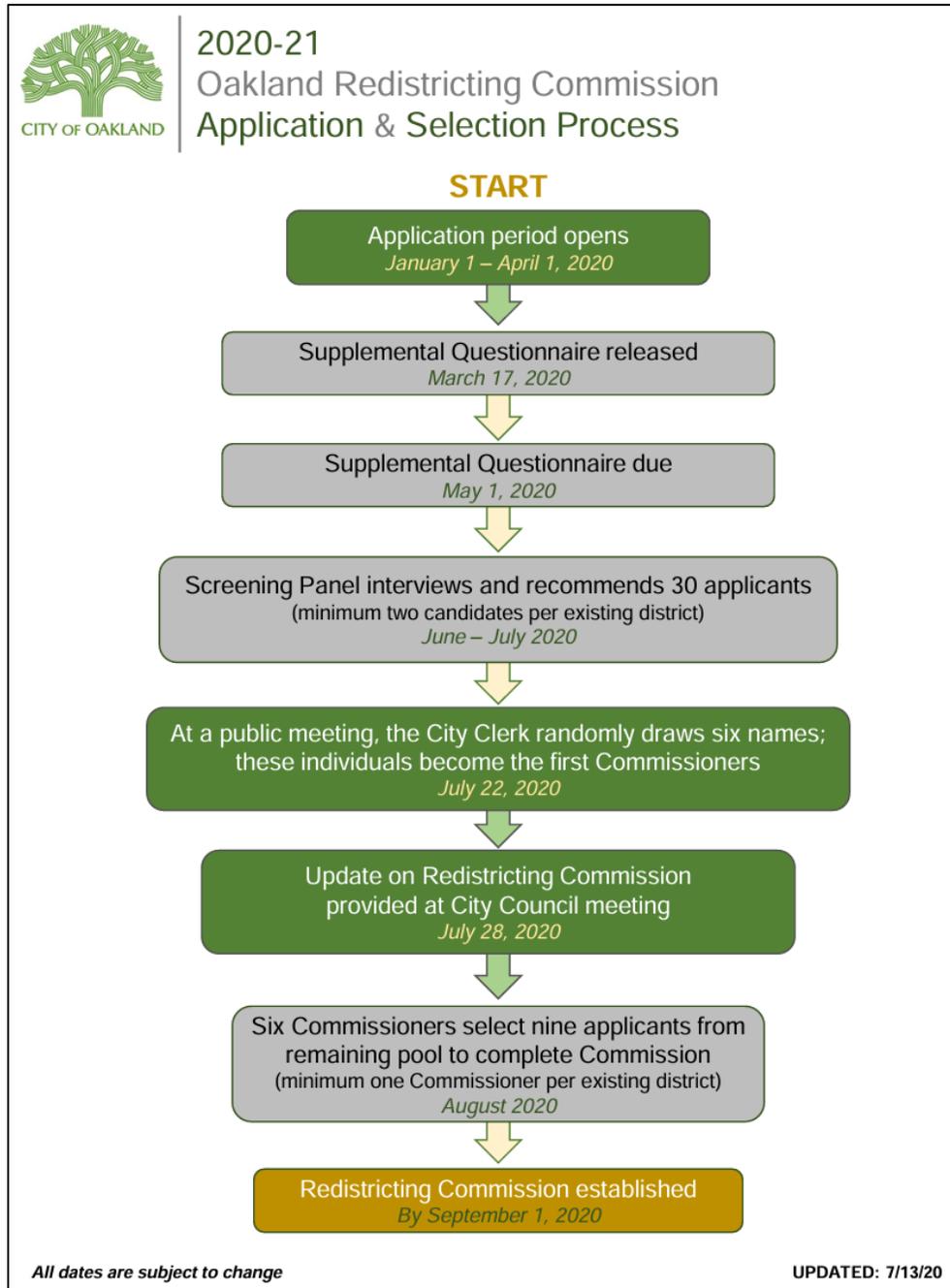
⁸⁰ [Rebecca Szetela's testimony](#), SF Elections Commission, November 16, 2022

Figure 7 Comparison of Vetting Bodies and Selection Methods

IRC	Vetting Body for Finalists	# Random Draw (+Alternates)	Random Draw Requirements	# Self-Selected (+ Alternates)
CCRC	Panel of 3 auditors	8	3 Democrats, 3 Republicans, 2 Other	6 (0)
MI ICRC	N/A (Department of State screens for minimum requirements)	13	Drawn from applicant pool weighted to match state demographics	0
LA County CRC	County Registrar	8	1 from each district	6 (0)
County of San Diego IRC	Clerk of the Board of Supervisors	8	1 from each district	6 (0)
Sacramento IRC	Ethics Commission	8	1 from each district	5 (2)
SF RDTF	N/A (Political appointment by Mayor, BOS; independent appointment by SFEC)	N/A	Each appointing authority selects 3	N/A
Long Beach IRC	Ethics Commission	9	1 from each district	4 (2)
Oakland RC	Panel: 1 retired judge, 1 law/policy student, 1 member of good gov't nonprofit	6	1 from each district	7 (2)
Berkeley IRC	N/A (City Clerk screens for minimum requirements)	8 (8)	1 from each district	5 (5)

An example of a possible timeline for the vetting and selection process is that of the Oakland Redistricting Commission (image below).

Figure 8 2020-2021 Oakland Redistricting Commission Application & Selection Process



Most importantly, public trust in the process is key to faith in fair elections.

4. Removal

"In addition to ethical rules of conduct, states should have clearly defined removal procedures for commissioner misconduct. These procedures should spell out the process through which commissioners found to have violated ethics rules can be removed and replaced."

– *Designing a Transparent and Ethical Redistricting Process (League of Women Voters 2020)*

The way it is now

Members of the Redistricting Task Force serve at the pleasure of their appointing authority and may be removed by their appointing authority at any time.

Relevant state law

None.

SFEC recommendations and rationale

- Members of the IRC are removed only if the IRC determines a member is guilty of neglect of duty, gross misconduct, or if they misrepresented themselves to qualify for service on the body.
- Allow for the resignation of IRC members and replacement by alternates.
- The IRC determines which pre-selected alternate will replace the outgoing member.

The current San Francisco law regarding removal is that RDTF members "shall serve at the pleasure of their appointing authority and may be removed at any time."⁸¹ This law perpetuates the stigma of political appointments and undercuts the RDTF's independence. As an appointing authority, the Commission was faced with demands to remove its appointees when members of the public felt that some or all were not living up to their responsibilities under the Charter. (Notably, this same request was not made of the political appointing authorities.) We were advised that it was not necessary to have any grounds for removal as they served "at our pleasure." However, this put the Commission in an awkward position: an independent body that might remove members of another independent body.

If the RDTF were truly independent, it would have the ability to determine on its own if certain members were not fulfilling their responsibilities under the Charter or other laws. A truly independent body should be empowered to determine whether a commissioner must be replaced due to neglect of duty, gross misconduct, or if they misrepresented themselves in order to qualify for service and actually don't meet the disqualifying criteria. The body should then be able to select a replacement from the two

⁸¹ [San Francisco Ordinance No. 94-21 Sect 2](#)

available alternates itself (see Vetting and Selection section, p.36), and their work should continue as seamlessly as possible. As noted in Commission Processes p.48, the 14-member body would require at least 9 affirmative votes for any action of the body – including member removal.

Finally, the reality is that things come up in life that one can't always foresee, and so allowing for resignation and replacement of RDTF members is also a compassionate policy if a member discovers they will not be able to fulfill their duties on the task force throughout their term – particularly with the longer term we are recommending in this report due to earlier establishment of the body (see Timing section, p.55) – without significant disruptions to the work.

REDISTRICTING LINE-DRAWING CRITERIA

What criteria will reduce political influence, keep communities of interest whole, and increase transparency?

The California State Constitution defines a “Community of Interest” as a contiguous population which shares common social and economic interests that should be included within a single District for purposes of its effective and fair representation.

– Article XXI of the California Constitution

The way it is now

- The existing line-drawing criteria is not ranked
- The lines are to substantially comply with the rule of one person, one vote
- Population variations between districts are limited to 1% from the statistical mean unless additional variations, limited to 5% of the statistical mean, are necessary to prevent dividing or diluting the voting power of minorities and/or to keep recognized neighborhoods intact
- Lines must consider communities of interest, though this term is undefined
- There is no prohibition on incumbency protection or discrimination

Relevant state law

None.

SFEC recommendations and rationale

- Remove existing City charter line-drawing criteria and replace it with explicit ranked criteria including compliance with Federal law, case law, existing state criteria and the constitutional definition of Communities of Interest (FAIR MAPS Act of 2019).⁸²
- Require the IRC's final report to include a rationale for map lines compared against the criteria.
- Prohibit incumbency protection and discrimination in line-drawing.

Criteria for line drawing has become fairly established in recent years so this is an area where San Francisco could benefit from clarity. There is no strong rationale to deviate from these generally accepted criteria. These recommendations are consistent with FMA 2019 and 2023, but elections Code 21130(g) exempts charter cities like San Francisco so it has not had to comply. FMA-required criteria are listed in the figure below.

Having ranked criteria vs. unranked forces the IRC to make tradeoffs favoring higher ranked criteria rather than randomly cherry-picking unranked criteria when justifying district lines. While past RDTFs have published final reports, they have not included information justifying districts against criteria, with the exception of population deviation, largely because the other unranked criteria has been vague. This is also critical for transparency (see Commission Processes, p.48).

We also recommend that San Francisco include language in the Charter that asks the City to follow case law regarding redistricting. This means that San Francisco will automatically evolve as the law evolves without requiring future charter amendments and effective practices are established. For example, case law actually provides local jurisdictions more latitude to keep neighborhoods and communities of interest intact than San Francisco's limit of "5% of the statistical mean" constraint.

It's critical that incumbents' residences are not considered – neither protected nor discriminated against in line drawing since incumbent protection is often what prevents drawing fair districts⁸³ and was the motivation for enhancements to the law in the form of FMA 2023. This question came up in the most recent redistricting process with draft maps, with some members of the public and elected officials unhappy with draft maps that might remove them from their districts as the RDTF tried to realign districts due to major population growth in the southeast part of the City.⁸⁴ No supervisor was ultimately drawn out of their district.

⁸² [FAIR MAPS Act of 2019](#)

⁸³ "...local redistricting too often has been used by incumbents...to entrench their power, advance one political party or faction over another, or stop or limit the ability of growing communities of color from electing their own representatives to office." [The Promise of Fair Maps](#), p. 1

⁸⁴ [SF supe would be cut out of district by new map](#), KRON 4, March 30, 2022

FMA ranked criteria are for supervisorial districts, to the extent practicable.

Precise detail is in Elections Code 21130(c) and (d) with the key point bolded by the SFEC:

(c) The districting body shall adopt election district boundaries using the following criteria as set forth in the following order of priority:

(1) To the maximum extent practicable, election districts shall **be geographically contiguous**. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subdivision, **the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division**. A "community of interest" is a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. Characteristics of communities of interest may also include, but are not limited to, cultural districts, shared socioeconomic characteristics, similar voter registration rates and participation rates, and shared histories. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, the geographic integrity of a city or census designated place shall be respected in a manner that minimizes its division. This paragraph does not apply to a city.

(4) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, election districts shall **be bounded by natural and artificial barriers, by streets, or by the boundaries of the local jurisdiction**. Election district boundaries should **be easily identifiable and understandable by residents**.

(5) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, election districts shall **be drawn to encourage geographical compactness** in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(d) The districting body **shall not adopt election district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party**.

FUNDING

What is needed to adequately resource the work, as well as decrease barriers to public participation?

"In the future, it is recommended that a department or division is established to provide a structure that increases the ability of a team of individuals to plan and problem solve at a high level."

– Clerk of the Board of Supervisors

The way it is now

- RDTF members do not receive stipends.
- There was a budget for outreach and a line-drawing consultant in the last cycle, expenditures that were managed by the Department of Elections / Clerk of the Board, not the RDTF.
- The RDTF work was supported by the following City departments and staff without any budget augmentation: Clerk of the BOS, Department of Elections, and City Attorney staff.

Relevant state law

None.

SFEC recommendations and rationale

- The redistricting budget should include outreach and recruitment, vetting and selection prior to establishing the IRC each cycle.
- The IRC should have a reasonable, transparent budget that covers (some) dedicated staff as recommended by the City Clerk, community outreach, translation services, remote participation access, equitable stipends and reimbursement for expenses incurred by commissioners in the course of duties.
- Once seated, the IRC should have influence in selecting key consultants and their scopes of work.
- Departments supporting redistricting work should receive budget augmentation in multiple budget years, as appropriate.

The 2021-2022 RDTF faced limits on its independence due to dependency on the limited resources of other agencies and decisions made before seating. Even scheduling meetings was a challenge due to

competing duties of clerks. We strongly encourage the BOS to consider the proposed budget recommended by the City Clerk included with the final task force report, which was endorsed by the RDTF (Appendix B), as well as adequate resourcing for the outreach and selection processes prior to the seating of the task force.

From the Clerk of the Board's 2022 report (p.2), included as an appendix to the RDTF report:

"During the seven-month process, the entire leadership of the Clerk's office were committed to planning the critical administrative objectives of the Task Force. The clerking duties were done by an Assistant Clerk from the Clerk's Office who was still assigned to a committee at the Board of Supervisors. Additionally, backup Clerks, both remote and in-person each had their regular Board of Supervisors duties to perform, which was extremely draining on Department resources and caused focus to be diverted from the business of the Board. The Clerk's Office did an extraordinary job of stretching the limited staff resources on hand, while executing hybrid meetings at the Board that already doubled the workload of the Department.

In the future, it is recommended that a department or division is established to provide a structure that increases the ability of a team of individuals to plan and problem solve at a high level. At the very least, two Clerks should be assigned to the responsibility of Clerking the Task Force, with *not much else on their plate*, given that meetings may occur on consecutive days of the week.... Staff who are assigned to the Task Force, especially the Clerks, should also have an intimate knowledge of the City neighborhoods, streets, and districts. In order to accurately capture the voluminous comments and discussions of the various areas, the Clerks must be able to articulate those concisely.... During this current process, the Board was luckily able to loan a Clerk who already had that knowledge, and it benefitted the Task Force and the public tremendously.

We cannot predict what the state of public meetings will be like in ten years, but we can only assume that access will be even more expanded and technology utilized to facilitate more access, and a need to employ a similar amount of staffing solely designated to manage the Task Force. In addition to the two Clerks, at least five other staff should be considered to manage public comment, organize off-site locations, setup/take down of meeting rooms, interpreters needs, broadcasting needs, IT assistance and a position to coordinate and manage these positions. Again, a temporary division should be established to support the Task Force and their needs. It must be remembered that supporting duties of staff are in addition to regular duties and the business of the City should not be disadvantaged."

In addition to echoing recommendations of the Clerk's office, the RDTF's final report included recommendations that the "Board of Supervisors should also allocate more funding from the outset rather than having the Task Force draw on limited funds from the Clerk's Office and the Department of Elections to meet public participation needs, as has occurred in this and previous iterations of the Task Force."

***"With funding secure, the commission may draw the district lines without feeling beholden to the legislature's power of the purse."
– A Citizen's Guide to Redistricting (Levitt-2010)⁸⁵***

Other budget constraints noted in the final RDTF report are essential for an inclusive, participatory and transparent process, and more funds must be allocated in the next redistricting cycle to enable the City to successfully engage the community and draw representative districts. These include the significant resources needed to host dozens of meetings, including staffing remote and hybrid meetings. A detailed view of the actual costs from the 2021-2022 cycle can be found on page 5 of the Clerk's report (Appendix B). And, because redistricting is such a significant endeavor every ten years as noted in that report, the associated expenses cannot be expected to be absorbed by departments with business-as-usual budgets. The budgeting should also account for multiple years. For example the Long Beach IRC had an objectively successful process and accounted for the redistricting effort across three consecutive budget years. For other cross referencing, a sample set of preliminary information regarding other California city and county redistricting budgets was provided by request by Common Cause at one of the SFEC's meetings.⁸⁶

The SFEC heard broad support for stipends across its educational meetings throughout the course of this Initiative. The questions we asked were: What size stipend is meaningful enough to enable those of lesser means to participate and recognize all commissioners for their time? How can compensation be adjusted over time without putting another measure on the ballot? Some of the support was in recognition that a lack of stipends as well as expense reimbursements can limit the pool of applicants and create barriers to full participation. Stipends would need to be allowed in the Charter, with the specific amount determined by the BOS outside of the charter and commensurate with the effort required vs. other typical commissions across the city.

Figure 8 below provides a range of different compensation of IRCs. The SFEC also did some research on compensation levels across City commissions for some reference in 2022.⁸⁷ Most receive fairly nominal compensation – similar to state-level bodies – which is why the Voters First Act set initial compensation

⁸⁵ Levitt, Justin, [A Citizen's Guide to Redistricting](#), 2010

⁸⁶ [Data Points on Redistricting Budgets](#) provided courtesy of Common Cause

⁸⁷ [Memo: Racial Equity Action Item: Research on Commissioner Compensation](#), Commissioner Jerdonek, October 17, 2022

for the CCRC at \$300 per diem (3x the average meeting rate), adjusted for inflation each cycle. A recent report recommended \$450 per diem for Los Angeles proposed IRC.⁸⁸ San Francisco could also consider handling stipends equitably, similarly to how San Francisco’s “Be the Jury” program⁸⁹ works (this program encourages jury participation with increased stipends for low-income residents who cannot give up their wages to participate in jury service) or to how Long Beach is handling equitable compensations for commissioners.⁹⁰

The kinds of expense reimbursements that should be considered include local transportation (or a Clipper card), parking, meals for extended meetings, and caregiving expenses as needed. Alternatively, the BOS could consider simply providing a higher per diem that would alleviate the need to provide additional reimbursements. The benefit of that would be the reduced time and effort needed for both members and staff to process expense reimbursements. Ultimately, the BOS should ask for community input on what the “right” amount should be. The IRC is not a full-time job, so a stipend should be modest yet allow someone to participate who wants to while meaningful enough to balance the sacrifices they must make to do the work.

Figure 9 IRCs and Stipend Amounts in 2020 Redistricting Cycle

IRC	Stipend Type	2020 Redistricting Amount
CCRC	Per Diem	\$378 per day worked, plus expense reimbursement
MI ICRC	Salary	At least 25% of Governor’s salary = \$39,825, but raised to 35% = \$55,755 by ICRC during mapping, plus expense reimbursement
Long Beach IRC	Per Meeting	\$200, up to a max of \$7k/yr
SF RDTF	None	None
Berkeley IRC	Per Meeting	\$100, plus expense reimbursement, including child or dependent care ⁹¹

⁸⁸ [For the People: A Roadmap for Community-Centered Independent Redistricting in Los Angeles](#)

⁸⁹ [Be the Jury: Preliminary Findings from First Six Months of Pilot Program](#)

⁹⁰ [Undocumented residents can now serve on Long Beach city commissions](#), Press-Telegram, March 21, 2023

⁹¹ IRC Redistricting Regulations, p. 14, Berkeley Charter Article V

COMMISSION PROCESSES

How can the commission be properly supported and trained, transparent, and inclusive of diverse public input?

"Transparency and public participation in redistricting are essential to drawing better district boundaries, maintaining public confidence in the fairness of the process, and building community support for the final maps."

- *California Local Redistricting Commissions Report (Heidorn-2017)*

This section is divided into five subsections:

1. Training & Preparation
2. Including the Public
3. Transparency
4. Voting & Decision-making
5. Impasse Procedure

1. Training & Preparation

The way it is now

- The City charter stipulates no requirements.
- During its initial meetings, the RDTF received briefings on its duties and powers from the Department of Elections, Office of the City Attorney, Clerk's Office, Q2 Data and Research LLC ("Q2"), and Civic Edge Consulting.
- The Task Force received various data sets including socioeconomic demographics, neighborhood maps, cultural district information, and community benefit district boundaries.
- The City Attorney wrote several legal memos to the RDTF, and both the City Attorney & mapping consultant offered training to the RDTF.

Relevant state law

None.

SFEC recommendations and rationale

- Minimally, require the same legal training as permanent commissions receive, (e.g. Sunshine Ordinance and Brown Acts), and practical training shortly after seating (VRA, Robert’s Rules, Census data and mapping, state and San Francisco ranked mapping criteria).

The RDTF recommended in its final report that its members should receive training in mapping early in the process rather than waiting until mapping meetings begin so that it already has some experience and understanding before the mapping meetings are underway. The RDTF also recommended that the initial preparation such as draft bylaws, tentative schedules, and proposed timelines should be presented when the task force first convenes so that members are not forced to grapple with those issues without important context.

Additionally, the City should require the same legal training for IRC members that permanent commissions receive, (e.g. Sunshine Ordinance and Brown Acts), and practical training shortly after seating (VRA, Robert’s Rules, Census data and mapping). IRCs need both generalized and specialized training to be set up for success. The City could consider leveraging the experience of former CCRC, IRC and SF RDTF members to train new IRC members.

Most of these commission process areas do not need to be included in the City charter, and should be established in other ways.

2. Including the Public

The way it is now

- There are no requirements.
- The 2021-2022 RDTF was the first in the City to retain an outreach consultant upon advice from the previous task force.
- The RDTF created an outreach plan, but implementation was limited due to budget and the predetermined scope of the outreach consultant (which they had no role in choosing).
- The consultant developed marketing materials, identified community organizations for engagement, and digital outreach efforts, supplemented by the Clerk’s office with other collateral.
- RDTF members participated in outreach activities such as speaking with residents, presenting to community-based organizations, and attending public events.

- The RDTF emphasized language access in both printed materials and with interpretation services at meetings (both consecutive and simultaneous), but was unable to practically manage language access effectively during mapping due their late start (a month before the deadline).
- The mapping consultant provided mapping and community of interest submission tools for the public to create and submit maps, as well as provided a map training video.

Relevant state law

San Francisco must comply with AB 764, now Elections Code 21160b aka FMA 2023, which requires a detailed public outreach plan.

SFEC recommendations and rationale

- Outreach must be adequately resourced and should leverage existing City infrastructure, including agency expertise, language access resources, and community organization relationships.
- Public input hearings should be accessible and convenient to the public.
- The IRC should have a voice in the scope of any consultants' work used for public outreach.
- See Transparency (p.52) and Timing (p.55) sections for related recommendations.

The 2021-2022 RDTF did recognize the fundamental importance of community outreach throughout the redistricting process though faced challenges, not the least of which were the impacts of the pandemic. As noted above, they had several good processes that were supported universally by the RDTF members. The SFEC's recommendations center around the need to adequately resource the body to do its work effectively, recognizing that San Francisco has a very diverse population, including underrepresented communities that can be difficult to reach unless public outreach meets them where they are with resources they need.

The RDTF also noted, and we agree, that there are "various methods of running meetings more efficiently [during this process] while allowing for robust participation, including more focused public comment, better facilitation of discussion and action, and even recessing until the next day if necessary." (p.13) We also recommend that the IRC engage with the public to determine the best meeting times and places to maximize participation. Fundamentally, the recent RDTF's biggest challenges with effectively engaging the public may have stemmed from starting mapping too late to give communities time to absorb and react to proposed maps, which we address in Timing, p.55.

Finally, because City budgets continue to be constrained, we recommend that the RDTF piggyback off existing City resources for cost-effectiveness. For example, taking advantage of existing meetings of other bodies, conducting outreach through existing communication channels, partnering with City agencies already working underrepresented communities, etc.

3. Transparency

The way it is now

Public meetings are governed by the Sunshine Ordinance and Brown Act. There is no ban on discussing redistricting matters outside of a public meeting.

Relevant state law

- FMA 2023 (Elections Code 21130f) mandates a final report explaining any splits of neighborhoods or communities of interest.
- FMA 2023 (Elections Code 21160g and h) requires posting comments on the website.

SFEC recommendations and rationale

- Ban ex-parte communication.
- Require disclosure of approaches by electeds or members of the public, educational sessions presented, etc.
- Require 7-day advance posting of maps under consideration.
- Public comments should be posted on the IRC website.
- Require written rationale for final districts against ranked criteria, neighborhoods, communities included or split in each district (see also Line-drawing Criteria section, p.42).

The RDTF final report explained that it “witnessed unprecedented assaults on its independence by political actors, including purportedly nonpartisan actors, invested in a specific outcome”⁹² and we heard⁹³ and it was reported that some members felt political pressure that interfered with and influenced their votes.⁹⁴ One way to assert independence is to ban ex parte communication, meaning that discussion of redistricting matters with IRC members must happen in public meetings, eliminating opportunities for elected officials, individuals or groups to influence line-drawing privately. The California Government Code regulates the CCRC’s ex parte communication⁹⁵ which has been updated in the ballot measure for the newly proposed IRC for the City of Los Angeles based on subsequent CCRC practices to clarify that educational outreach is permitted, “All ex parte communications between Commission members and any other person concerning development of the map are prohibited. This does not restrict communication among Commissioners and their staff, consultants, or legal counsel, or communication with City staff regarding administrative matters. This does not restrict educational presentations to the public. At least two Commissioners must be present at any public meeting that is

⁹² [2021-2022 San Francisco Redistricting Task Force Final Report](#), May 23, 2022, p.13

⁹³ RDTF panel testimony, SF Elections Commission, September 21, 2022

⁹⁴ [Redistricting chair told others he felt mayor’s pressure on maps](#), Mission Local, April 13, 2022

⁹⁵ [CA Government Code, Division I, Ch. 3.2, Sect. 8253 Citizens Redistricting Commission](#)

not an official Commission hearing or meeting and such a meeting must be posted on the Commission website for general public participation. This shall include in person and virtual meetings.”⁹⁶

Disclosure, while informative, is not sufficient. Required ex parte communication logs from the City of Los Angeles’ last political redistricting process showed near constant communications with the Mayor, City Councilmembers and staffers that resulted in “the sudden appearance of maps of dubious origin and the eleventh-hour drop and the swapping out of commissioners by council members in a bid to reshape the map in their favor,” according to Commission Chair Fred Ali.⁹⁷ While the LA Advisory Redistricting Commission was completely politically appointed with no pretense of independence in contrast to the RDTF, transparency was an issue for both. In August, 2022, the Sunshine Ordinance Task Force found that four 2021-22 RDTF members violated public records laws.⁹⁸ Because all of them voted for the final map, it led to speculation that damaged trust in the integrity of the process, which a clear ban would have precluded.

The recent RDTF held multiple live line-drawing sessions, including all meetings during the final few weeks, allowing the public to watch the work, understand the movement of district boundaries, and witness their impact on other districts in real time. This and similar innovative and transparent processes should be encouraged.

The public should know about all discussions that might influence the lines drawn by the IRC, and the IRC must be able to explain its compliance with ranked criteria for every district in an accessible format. Laudably, previous RDTFs have voluntarily published reports, but they have not provided detailed rationales for districts, nor explained why neighborhoods or communities of interest were split. We encourage the BOS to refer to the 2021-2022 RDTF final report and the accompanying statements from various members on their frustrations with the process and interest in providing more transparency in the future to the public about district rationales.

4. Voting & Decision-making

The way it is now

A simple majority (5 of 9 votes) is required for any decisions, including final maps.

Relevant state law

None.

⁹⁶ [Report of the Chief Legislative Analyst re: Proposed Independent Redistricting Commission Program](#), Sept. 29, 2023

⁹⁷ [Op-Ed: By all means, make redistricting in Los Angeles truly independent](#), Los Angeles Times, Nov. 1, 2021

⁹⁸ [Redistricting Task Force members failed to produce records, violated Sunshine laws](#), Mission Local, Aug. 4, 2022

SFEC recommendations and rationale

- Supermajority of 9 (out of 14 voting members) for all votes

The SFEC debated whether a simple or supermajority should be necessary for votes of the IRC, and if a supermajority, whether that should only be for the final map vote or for all votes. We wanted to promote collaboration but also allow for dissent, recognizing that unanimity is not necessary nor is it sometimes practical. In fact differing perspectives can be valuable to the process. Because we have also recommended a larger body than the current size (see Composition, p.27), nine members for any vote does not seem onerous. Additionally, requiring a supermajority lessens the possibility of a majority faction dominating a process. A table comparing various thresholds for final map votes is included below for reference. Note that San Francisco has the smallest number of members required for decision-making and passed its maps with a bare majority two out of three times (2001-02 and 2021-22). The special majority and special supermajorities are thresholds accounting for representation by multiple partisan groups and reduce the possibility of political dominance. This is present at the state level because of partisan congressional races but is usually irrelevant for local IRCs, thus we have not recommended special supermajority requirements for San Francisco.

Figure 10 Voting Threshold for Final Maps

IRC	Vote Type	Vote Threshold	# of Commissioners
CCRC	Special supermajority	9 (3 Democrats, 3 Republicans, 3 Others)	14
MI ICRC	Special majority	7 (2 Democrats, 2 Republicans, 2 Others)	13
LA County CRC	Supermajority	9	14
County of San Diego IRC	Supermajority	9	14
SF RDTF	Majority	5	9
City of Sacramento IRC	Supermajority	9	13
Oakland RC	Supermajority	9	13
Long Beach IRC	Supermajority	9	13
Berkeley IRC	Majority	7	13

5. Impasse Procedure

The way it is now

The procedure to follow if the final map deadline is not met is unclear. The City Attorney, with input from the Director of Elections, informed the 2021-2022 RDTF of its obligation to complete its task despite missing the legal deadline.⁹⁹

Relevant state law

The recently passed AB 764 aka FMA 2023 (Elections Code 21180) says that if the final map is not produced on time, it will be referred to the Superior Court who is authorized to hire a Special Master to draw the districts. This law will apply to San Francisco because the city charter is silent on this issue. The new law does not require adopting the state deadline.

SFEC recommendations and rationale

- Same as FMA 2023: Refer to Superior Court and authorize it to hire a Special Master to draw the districts if the final map is not produced on time (see Timing section, p.55).

San Francisco needs an acceptable failsafe that creates an incentive for the IRC to complete its work in time for the upcoming election processes to not be disrupted. The recommendation by the SFEC is now required by state law.

TIMING

When should the redistricting process begin prior to the deadline and when must draft maps be produced?

"It would be advisable for the Board of Supervisors to introduce and pass an Ordinance establishing the Task Force at least six months to a year before the Census results are released in April."

-- Clerk of the Board of Supervisors

The way it is now

- Seating of the RDTF seating is tied to the Census.

⁹⁹ [City Attorney Memo to RDTF on Redistricting–Deadline and Process](#), April 19, 2022

- Draft maps are not required. Only a (non-standard) final deadline is stipulated. This is currently by April 15 in the year in which the first election using the redrawn lines will be conducted.

Relevant state law

- FMA 2023 (Elections Code 21150d(1)) requires at least 2 public hearings before mapping and 21150d(2) requires at least 3 after a draft map before a final map can be adopted.
- Elections Code 21160f(1) requires 7-day posting of all maps or 72 hours if within 28 days of the final map deadline.

SFEC recommendations and rationale

- The ordinance establishing the IRC should be passed 18-24 months prior to the map deadline, rather than tying establishment to the Census as is currently in charter.
- The IRC should be seated at least 12 months before the final map deadline.
- Require a draft map at least 2 months before the final map.
- Require a 7-day public comment period before final map adoption.
- Consider adopting the earlier state deadline for final map.

The Clerk of the Board made strong recommendations in their final report regarding the timeline associated with San Francisco's redistricting work, stating the need to begin it much earlier in order for the task force to effectively do its job (p.1), which the RDTF agreed with in its final report. From the Clerk's report:

"Additional time to establish the Task Force would provide more opportunities to review the duties, establish a timeline for action, set expectations, and execute those requirements and additional demands. The Task Force would be able to focus on the actual District lines and duties to accomplish that task by the time the Census results are released.

The Census results are released around April the year prior to the Task Force's April 15th deadline to adopt a Final Map. It would be advisable for the Board of Supervisors to introduce and pass an Ordinance establishing the Task Force at least six months to a year before the Census results are released in April. The Ordinance should include the member structure, appointing authorities (and that they serve at the pleasure of those authorities), seat qualifications, deadline for appointments, attendance requirements, minimum number of meetings, assignment of administrative/clerking/legal support, language access standards, and outreach directives, including where the funding will be derived for each of these.

The earlier establishment of the Task Force will allow the appointing authorities additional time to make their appointments and for the appointees to arrange their upcoming schedules since

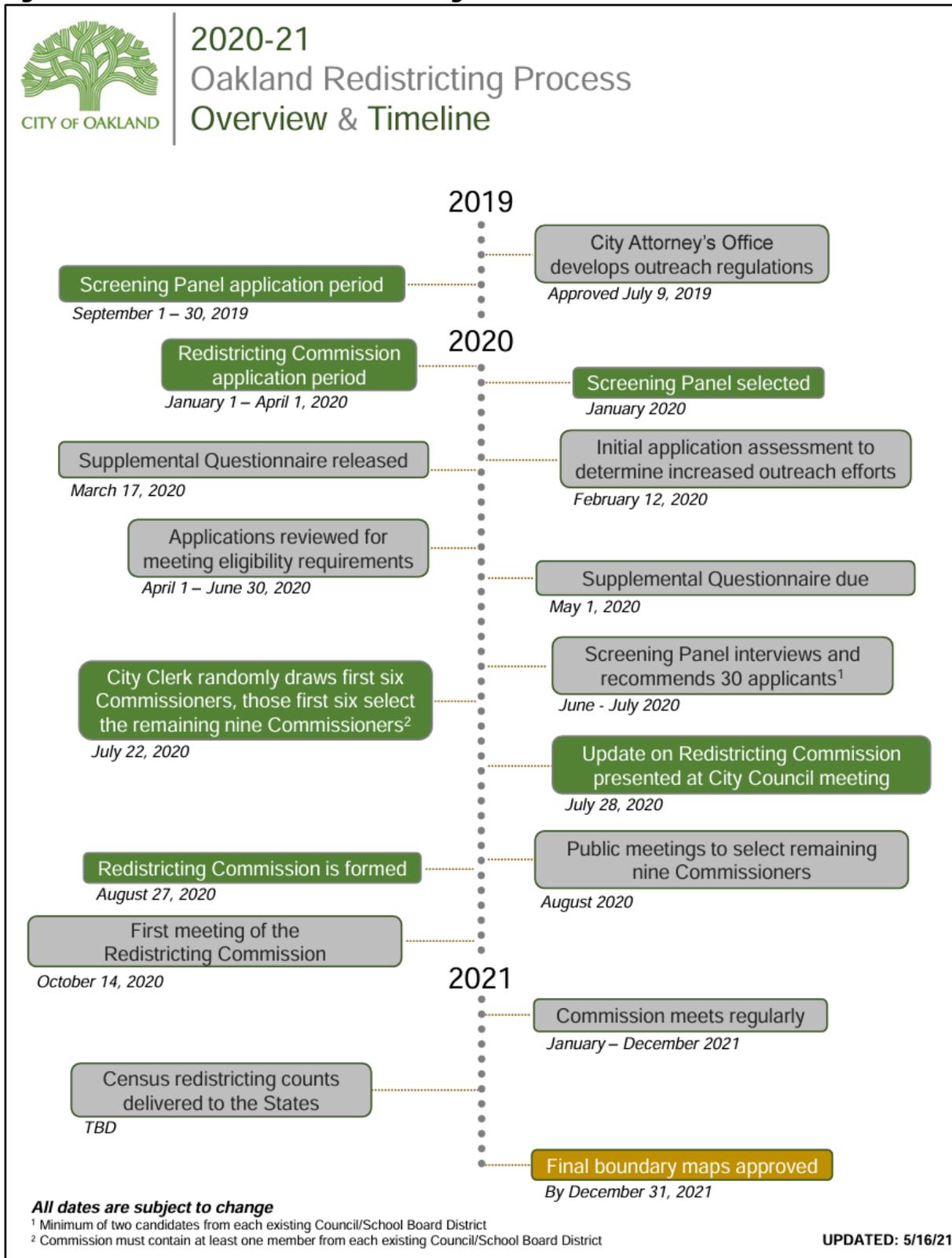
the duties will require a significant proportion of their time and energy. This will provide the City Attorney's Office additional time to brief appointees with the California Ralph M. Brown Act, the Sunshine Ordinance and in general the City Attorney's Good Government Guide to ensure adherence to rules and best practices. The Task Force members must be made aware of how much time will be required and that their schedule will need to adapt to the Task Force's majority."

The BOS would need to pass an ordinance significantly in advance of seating the IRC due to the addition of an extensive outreach & recruitment process needed to build a large, diverse pool of candidates (see Outreach and Recruitment, p.29), as well as the time required for vetting and selection (see Vetting and Selection, p.39). San Francisco's size and complexity warrant a year to allow adequate time for the newly-seated IRC to get trained, organize itself, solicit community input, create draft maps to catalyze collaborative problem-solving, and refine a final map. As with the budget recommendations above (p.45), the process should cover multiple years. One example of how this might look is Oakland's recent redistricting process plan (Figure 11 below), although their final maps were also delayed.

Additionally, we saw in this last cycle that tying seating of the RDTF to the Census, rather than the map deadline, was problematic, given the delay in Census results. San Francisco should tie the seating of the IRC to the map deadline, not the Census. To note, San Francisco's final map deadline is also later than standard state law, which San Francisco should consider adopting – it would provide more room to prepare for upcoming elections as well as be more consistent with other jurisdictions.

While the RDTF utilized some innovative and inclusive processes like live map drawing, the lack of official draft maps with adequate time for the public to understand, reflect, and react made it difficult for large groups of the public to fully engage in the map-drawing process. Past RDTFs have always exceeded minimum public hearings before mapping but not *after* mapping which is most critical for public input, as will now be required in San Francisco to comply with FMA 2023.

Figure 11 2020-2021 Oakland Redistricting Process Overview and Timeline



APPENDICES

(Attachments are not included for SFEC review, but will be included in final doc sent to the BOS)

APPENDIX A 2021-2022 San Francisco Redistricting Task Force Final Report

APPENDIX B Clerk of the Board Report

APPENDIX C Memo re: AB 1248 from the City Attorney's office

APPENDIX D Memo re: AB 764 from the City Attorney's office (included in meeting packet)

APPENDIX E Form letter campaign emails to SFEC (5)

APPENDIX F Additional resources (draft included below)

APPENDIX G FIERCE Committee Discussion Guide

APPENDIX F – ADDITIONAL RESOURCES

Final Reports from San Francisco Elections and Redistricting Task Forces

- [A Report of the Elections Task Force to the Board of Supervisors, City and County of San Francisco](#), May 1, 1995
- [2001-2002 Elections Task Force on Redistricting Final Report](#), 2002
- [2011-2012 Redistricting Task Force Final Report](#), April 12, 2012
- [2021-2022 San Francisco Redistricting Task Force Final Report](#), May 23, 2022

Relevant Reports and Studies

- [California Local Redistricting Commissions: Landscape, Considerations and Best Practices](#), California Local Redistricting Project, Nicholas Heidorn 2017
- [The Promise of Fair Maps](#): California's 2020 Local Redistricting Cycle: Lessons Learned and Future Reforms, Nicholas Heidorn, January 2023
- [Re-Assessing San Francisco's Government Design](#): Is City Hall Well-Structured to Meet the Current Crisis? Nicholas Heidorn, Kenneth P. Miller, and Bipasa Nadon, Rose Institute of State and Local Government Commissioned by TogetherSF, August 2023
- [A Citizen's Guide to Redistricting](#), Justin Levitt, Brennan Center for Justice at New York University School of Law, 2010
- [A Brief History of Elections Administration in San Francisco](#), SF City Attorney Memo, July 6, 2005
- [California redistricting 101: What you need to know](#), Cal Matters, November 4, 2021

Relevant Local and State Law

- [FAIR MAPS Act 2019](#)
- [FAIR MAPS Act 2023](#)
- [SF Charter Section 13.110 Election of Supervisors](#)

Letters from Good Government Monitors of San Francisco's 2021-2022 Redistricting Process

- [Recommendations for local redistricting amid Census delay](#), from League of Women Voters of San Francisco (LWVSF) to SFEC, Director of Elections, City Attorney, BOS and Mayor, March 15, 2021
- [Support for the ordinance convening the 2021–2022 San Francisco Redistricting Task Force](#), from LWVSF and SF Rising to the BOS, June 4, 2021
- [Recommendations on next steps](#), from coalition of organizations to RDTF, September 16, 2021

- [Recommendations on mapping tools](#), from coalition of organizations to RDTF, November 8, 2021
- [Recommendations on draft maps and timeline](#) from coalition of organizations to RDTF, January 21, 2022
- [Recommendations on timeline, outreach, and other concerns](#), from AAAJ-ALC, LWVSF, and SF Rising to the RDTF, February 3, 2022
- [Recommendations on considering race and other redistricting criteria](#), from AAAJ-ALC to the RDTF, March 11, 2022
- [Recommendations on language accessibility](#), from AAAJ-ALC, Chinese for Affirmative Action, and LWVSF, to the RDTF, March 25, 2022
- [Concerns regarding Elections Commission's Redistricting Task Force appointees](#), from LWVSF to SFEC, April 6, 2022
- [Concerns about transparency and 2:53 am vote reversal](#), from California Common Cause to the RDTF, April 11, 2022
- [Concerns about 2am vote reversal and basing maps on public input, April 12, 2023](#), from Asian Americans Advancing Justice - Asian Law Caucus (AAAJ-ALC) to the RDTF, April 12, 2022
- [Recommendations for the final report](#), from LWVSF to RDTF, May 6, 2022